

REPORT
OF
RAILROAD COMMISSIONERS
VERMONT

1906



CENTRAL VERMONT RAILWAY.
NEW ENGLAND STATES LIMITED BETWEEN MONTREAL AND BOSTON.

TENTH BIENNIAL REPORT

of the

Board of

Railroad Commissioners

of the

STATE OF VERMONT

June 30th, 1904, to June 30th, 1906



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Board of Railroad Commissioners

1904-1906

FULLER C. SMITH, <i>Chairman</i> ,	-	ST. ALBANS, VT.
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Office Address, MONTPELIER, VT.

State of Vermont.

RAILROAD COMMISSIONERS' REPORT.

To the General Assembly of the State of Vermont:

The tenth biennial report of the board of railroad commissioners of the state of Vermont is herewith submitted in accordance with the provisions of the law. Details of operation, physical condition and financial results, which are necessary to show the relations of the railways to the state, are included in this report and suggestions are made which are deemed appropriate and beneficial to the interests of the state.

COMPLAINTS AND PETITIONS.

The people of the state have availed themselves of the services of the commission in numerous instances and in several cases an amicable adjustment of differences has been brought about through the interposition of the board and without a hearing. The more important cases have been the petition of citizens of Rutland for gates and flagmen at highway grade crossings; of citizens of Fair Haven for better depot facilities; of citizens of Rockingham for a new depot at Bartonville; of citizens of Alburgh for a new depot; of the Bennington & North Adams street railway company for condemnation and appraisal of a right of way; and of citizens of East Fairfield, Randolph and Berlin for protection at highway grade crossings. The action of the commissioners upon these and all other petitions will be found in the chapter on complaints, petitions and orders.¹⁷ In a number of cases not reported in that chapter, the commissioners have secured by personal interviews and correspondence the adjustment of differences between individuals and the various railroads operating within the state. It is not deemed important to record here the details of such cases.

There is now pending before the board an important petition of citizens of Vernon and Northfield, Massachusetts, relating to a new passenger station at South Vernon and the elimination of one highway grade crossing in Vermont and two in Massachusetts. Commissioners appointed by the court in Massachusetts are working jointly with this board in this matter. Another petition of importance which has not yet been heard and determined is from numerous citizens of Barre asking for improved depot facilities on the Central Vermont railway at that point. Public investigations of accidents have been more numerous during the past two years than formerly and in many instances the orders and recommendations of the commissioners calculated to prevent a recurrence of similar accidents have been complied with and adopted by the railroad company affected.

RAILROAD CONSTRUCTION.

During the biennial term the Central Vermont system has constructed and placed in operation a branch leading from Bethel to the granite quarries five miles in length and of standard gauge. The same company has widened the gauge of the line from Brattleboro to South Londonderry, a distance of thirty-six miles, changing it from three feet to standard. Contracts have been made for the construction of an electric line from Bennington through the towns of Bennington and Pownal to the Massachusetts state line and construction work has already commenced. This line will connect with the line already in operation between North Adams, Massachusetts, and Williamstown, Massachusetts.

ELECTRIC RAILWAYS.

The Rutland, Burlington, Military Post and Springfield electric street railways continue to be the best examples of their kind in the state and are being maintained and operated in a satisfactory manner. The Brattleboro and Bellows Falls & Saxtons River roads are in fair condition, as is also the Barre & Montpelier traction road. No special improvements have been made in

recent years on these three latter lines either in physical condition or equipment, except that the Barre & Montpelier traction company has installed, upon the order of the commission, electric signals at its grade crossings over the tracks of the Central Vermont and Montpelier & Wells River roads between Montpelier and Barre, and has also rebuilt some of its bridges, straightened portions of its line and ballasted other portions.

The Mt. Mansfield electric railway has considerably improved its line between Waterbury and Stowe by ballasting a portion of it, laying 7000 or 8000 new ties during the season of 1905 and materially strengthening the high trestle near Waterbury Center, all done upon the request of the commission.

The St. Albans street railway is being operated by receivers appointed in September, 1905, by the United States Circuit Court for the district of Vermont. Its power is now taken from the power plant at Fairfax Falls instead of being generated by steam. The road-bed and equipment is gradually deteriorating and extensive improvements must be made at an early day.

The Bennington & Hoosick Valley railway is in poor physical condition but is being operated in a careful manner.

No improvements in methods of accounting have been adopted by the electric railways during the past two years. The attention of the general assembly was called to this matter two years ago and it was recommended by this commission that the law be so amended that electric railways would be required to fully answer the interrogatories contained in the blanks prescribed by the Street Railway Accountants' Association of America and approved by the National Association of Railroad Commissioners. The general assembly gave no heed to the suggestion, with the result that electric railways ignore the requests of the commission for complete reports and the commission is powerless to compel full and complete answers to the interrogatories. But little information can therefore be obtained showing the exact financial condition of these roads and to all inquiries the humiliating reply must be given that while Vermont has placed the nominal supervision of these railways in the hands of its railroad commission it has failed to arm the commission with sufficient power to compel the electric railways to furnish information respecting the operations of the respective lines, all of which is furnished by every steam railroad in the state without question, with one exception.

Two years ago this commission called attention to the fact that methods have been employed in financing electric railways

in Vermont that have proved very disastrous to investors. No restraint whatever is imposed upon capitalization or the creation of funded indebtedness, except the limitations of the charter and the consciences of the promoters and those limitations are usually so widely in excess of the actual funds necessary to build and equip the road that a large margin is left in the shape of stocks and bonds in which the public is invited and solicited to invest. The operation of the road discloses the fact that the gross earnings will not pay operating expenses and the interest on the bonds, to say nothing of any dividends on the stock. The result is a defaulting of the interest, loss of credit, shrinkage of stock and bond values, deterioration of road and equipment, receivership and foreclosure. And these inevitable results are being encouraged by the state at the behest of a few adventurers who aim to reap large profits by the sale of securities which do not represent real value. Such a policy does infinite harm to the state as a whole. It discredits Vermont securities that are sound; it advertises the fact that Vermont is an open field for the promotion of hazardous enterprises and the flotation of illegitimate schemes calculated to separate a man from his money. The unexpected risks involved in an investment in electric railway securities in Vermont and the losses sustained by the investing public outside of Vermont affects the reputation and character of every kind of security offered the public which emanates from Vermont. Our state should be in line with Massachusetts on this subject and require every issue of railroad stocks or bonds to be approved by some competent authority in order that there may be some guarantee that they measurably represent actual value in the construction and equipment of the road.

Two years ago this commission procured the introduction of a measure similar to the Massachusetts law upon this subject and the influence of interested persons was successfully exerted to prevent the passage of the bill. The inquiry is pertinent, what right has Vermont to expect capital from other states to seek investment here in the development of our resources if the state encourages the laying of traps by promoters to fleece the uninformed stranger out of his money?

To suggest or recommend what ought to be enacted in the way of legislation has heretofore been productive of no results. The above comment has been forced by the defiant attitude of those who oppose wholesome regulation of electric railways and by their influence among legislators defeat the passage of measures

which would afford relief from conditions that ought to be regarded in any state as intolerable.

ABOLISHMENT OF GRADE CROSSINGS.

Some of the railroads of Vermont are not progressing favorably with the important work of abolishing highway grade crossings. In other states, and particularly in Massachusetts, this work is being rapidly pressed forward and most desirable results are being obtained. It is not expected that equal progress can be made in Vermont, but the state should assume such control of this question as will ensure a substantial reduction in the number of dangerous highway grade crossings. The commissioners believe that the time has come when the state should contribute to the expense of abolishment of grade crossings and that a certain number should be eliminated every year and the cost apportioned between the railroads, the town or city and the state. This elimination should in some way be directed to those crossings most dangerous so that the worst conditions may be first removed. In addition to this there are a number of locations where the abolishment of the crossing at grade cannot be accomplished without incurring an expense almost prohibitive; in streets and upon highways where vehicular traffic is large and increasing and where trains are numerous and pass at high rates of speed, protection should be afforded by means of gates, flagmen or electric signals. The commission should be empowered by proper legislation to order such protection and when ordered, penalties should be provided for failure to comply with the order commensurate with the importance of the case and which will result in a prompt compliance on the part of the railroad company interested.

These improvements should not be forced to such an extent as to seriously burden the different roads; but something along this line should be accomplished every year by practically every railroad company having dangerous crossings upon its line.

THE RAILROAD SITUATION.

The present is a time of examination, investigation and discussion of railroad interests and railroad properties wider in its

range and more searching in its methods than ever known before in railroad history. In almost every progressive and growing state and especially in the Congress of the United States, this idea of investigation and readjustment of the relations between the government and the railroads is going on along many different lines. To many people the reason for this is not quite clear; the general public looks upon a railroad corporation as a private enterprise conducted by the owners of the stock for the purpose of making money, and regulation of it by the state or by the government seems to be the exercise of a paternalism not entirely in accord with our ideas of liberty in the management and control of private property. But a railroad is not a private institution created, owned and operated by individuals for personal profit alone. It is more than that. The railroad as a means of transportation cannot exist without special rights and privileges which the state, and the state alone, can give. No railroad of any considerable length could be constructed without governmental aid in conferring upon the corporate organization the right to take lands for rights of way and for general railroad purposes. If it were not for this right any person owning land across which it became necessary to build the road could prevent its construction by refusing to sell the required right of way. No other person, company or corporation enjoys these special privileges; and in return for them the state or the government retains the right to regulate and control the corporation to which it gave life. A duty is imposed upon the corporation so to manage its business and operate its road as to subserve, in every reasonable way, the interests and rights of the people who constitute the state. But sooner or later the railroad changes hands; new persons come into possession and ownership of it; it is consolidated with some railroad organized in another state and becomes a part of a larger system. With these vicissitudes the state loses, in a measure, its disposition to regulate and control, and the railroad parts with some portion of its respect for the state's interests. Abuses gradually arise which conflict with the rights of the people and the line in Vermont, generally an unimportant part of a great system, is made to contribute to the earnings and advancement of the larger corporation to the manifest detriment of its patrons here at home. The plain duty of the state is to demand at all times reasonable facilities, fair rates, good service and ample protection from all railroads operating wholly or partly in Vermont.

The railroads in Vermont are sharing with those of the entire country the increase in earnings consequent upon an era of production unprecedented in the life of the nation. Enormous sums of money are being spent by railway systems all over the United States in permanent improvements of road-beds, grades, station facilities, equipment, abolishment of grade crossings, terminal facilities and many other things which will hereafter contribute to the safety of the traveling public and the cheap operation of the road. The question naturally suggests itself, how much is being done by our Vermont corporations along these lines. The record is not wholly what it should be but it is encouraging in most cases. The notable improvements on the Boston & Maine during recent years are the double tracking of the line and straightening of curves between Bellows Falls and Putney; the laying of thirty miles of new seventy-five pound steel between White River Junction and Bradford, the rebuilding of the station at Bellows Falls, in connection with the Rutland railroad company, and the abolishment of quite a number of grade crossings at various locations in the state. Many other less important improvements have been made by the Boston & Maine system on its lines in Vermont and it is believed that these lines are receiving nearly their fair share of expenditures for permanent work, taking into consideration the ratio of mileage to earnings of the entire system. There has been a generous response on the part of the management to the necessities of growing business, the demands of the public and the requirements and orders of the commission.

The Rutland railroad has recently made substantial improvements in its road-bed and equipment at very large expense and the expenditures are being continued this season. Within a short time it will be first-class in all respects and second only to the most improved and up-to-date roads in the country. The new passenger depot at Rutland, a cut of which appears in this volume, is well adapted for the needs of that important city and represents a large and needed expenditure by the company. Other stations have been rebuilt or thoroughly repaired, among them being those at East Wallingford, Sunderland, Bellows Falls, Manchester and Danby. Large additions have been made to the motive power and other equipment and since the New York Central system succeeded to the ownership and management a new impetus has been given to the life and operation of the road.

It is to be deplored, however, that this system is not giving more attention and devoting more money to the protection and

abolishment of grade crossings. During the past six years not a single grade crossing has been abolished on its lines in Vermont and no protection of any kind has been afforded at any crossing except to install electric bells in two or three instances where ordered by the commission. On the other hand, the management has on several occasions strenuously opposed all efforts on the part of the public to secure greater safety at dangerous highway grade crossings and in one case at Rutland involving two crossings the order of the commission, at this writing, is being entirely ignored by the company. No thoughtful person can deny the importance of the work of gradually eliminating highway grade crossings and of protecting as far as possible those that cannot be abolished without an expenditure that is prohibitive.

The Central Vermont railway company has made extensive additions to its equipment during the last two years by purchasing 1000 freight cars, eleven refrigerator cars, two new passenger trains complete and among the finest in New England, and twenty-three new locomotives. All this new power is needed, however, to transport its increasing business and some of its older engines are not kept up to a high state of efficiency. The old narrow gauge road from Brattleboro to South Londonderry has been widened to standard gauge and ballasted its entire length; the Mississquoi, Burlington and Lamoille, and Williamstown branches have also been ballasted and new passenger depots have been erected at Montpelier Junction and Alburgh and a new freight depot at Brattleboro which is a model structure of its kind. Yard tracks have been rebuilt, siding and passing tracks extended, a number of miles of new eighty pound steel rails laid and other minor improvements of a permanent character have attested the disposition of the management to better the physical condition and equipment of the property as fast as financial considerations will permit. A new branch line from Bethel to the granite quarries five miles distant has been constructed and put in operation. Little has been done, however, toward the elimination of grade crossings and it is hoped that this subject will receive the early attention of the management. Important improvements are under way at South Vernon to be made jointly with the Boston & Maine railroad which will result in the abolishment of dangerous highway grade crossings and the erection of a new passenger station.

Within the past few years the Grand Trunk system has erected a fine new passenger station at Island Pond and has expended a large sum of money in eliminating highway grade crossings,

improving the yard and in the erection of a new round house and machine shops at the same place.

The Canadian Pacific road has greatly improved its road-bed between Newport and Richford by ballasting, reducing grades and the laying of heavier steel.

The Montpelier & Wells River road is keeping its road-bed and equipment up to a high standard of excellence. The St. Johnsbury & Lake Champlain road is gradually being improved in its physical condition and the depot facilities of these two latter roads are all that can be desired. The Woodstock road is in good condition. The Delaware & Hudson company has made extensive improvements upon the passenger station at Fair Haven, upon the order of the commission, and has been directed to build a new freight depot. The Hoosac Tunnel & Wilmington railroad is rebuilding a number of its bridges but in other respects remains in about the same physical condition as formerly, as do the Barre, Bristol, Clarendon & Pittsford, Hardwick & Woodbury, Maine Central and Manchester, Dorset & Granville roads.

The White River railroad from Bethel to Rochester has been closed by the order of this commission. This road has received the watchful attention of the commission for several years past and after special inspection and examination made in July, 1906, it was determined that unless extensive repairs and renewals of bridge structures were immediately made the operation of trains over the road ought to be discontinued. The result of this investigation and the accompanying order will be found in the chapter relating to the physical condition of steam railroads.

BRANCH LINES.

Criticism of the physical condition of branch lines is necessary in order to convey a correct impression of railway conditions in the state. The difficulty respecting these branches is at times disquieting and serious. The policy of the Central Vermont and Rutland systems is such as results in positive neglect of their branches until these conditions become an actual menace to the traveling public; then the repairs made are seldom adequate to place the road in anything more than serviceable condition for a short time. Sufficient help is not employed to keep the road-bed and

and track up to a safe and proper standard and in order to meet these conditions trains are run at a very low rate of speed and exasperating delays and avoidable accidents are the certain results. The people patronizing these branch lines, which frequently serve some of the best and most productive sections of the state, are entitled to a better road. They should not be made to contribute in an important degree to the financial returns of the main line without receiving accommodations fairly commensurate with the business which they create and furnish. The Missisquoi, Burlington & Lamoille and Williamstown branches of the Central Vermont system and the Ticonderoga branch of the Rutland railroad should be kept in presentable shape and so maintained as to render good and safe service to all their patrons. There should be no necessity for a low speed limit on trains and station facilities should be ample and adequate.

COMMERCIAL AND TAXABLE VALUE OF RAILROADS.

It is interesting to compare the commercial and taxable valuations of railroad property in the various states and for that purpose tables are here reproduced from bulletin Number 21 issued in 1905, by the department of commerce and labor of the United States.

TABLE SHOWING A COMPARISON BETWEEN THE ACTUAL COMMERCIAL VALUE OF RAILWAY PROPERTY DEVOTED TO TRANSPORTATION AND THE LATEST REPORTED VALUES OF RAILWAY PROPERTY AS ASSESSED FOR PURPOSES OF TAXATION IN VARIOUS STATES AND TERRITORIES.

STATE, TERRITORY, OR DISTRICT.	VALUE.			Ratio of assessed to commercial (per cent).	STATE, TERRITORY, OR DISTRICT.	VALUE.			Ratio of assessed to commercial (per cent).
	Commercial, as of June 30, 1904.	Latest reported as assessed for purposes of taxation.				Commercial, as of June 30, 1904.	Latest reported as assessed for purposes of taxation.		
		Date.	Amount.				Date.	Amount.	
Alabama.....	\$150,211,000	1905	(1) \$53,926,026	35.9	New Jersey.....	333,568,000	1904	231,655,525	69.5
Arkansas.....	124,626,000	1904	34,709,623	27.8	New York.....	898,222,000	1903	229,582,004	25.6
California.....	350,694,000	1904	92,378,550	26.3	North Carolina.....	113,146,000	1904	69,480,974	61.4
Colorado.....	198,261,000	1903	49,492,135	25.0	North Dakota.....	123,390,000	1904	22,160,304	18.0
Connecticut.....	105,369,000	1904	(2) 120,493,648	114.4	Ohio.....	689,797,000	1904	133,858,945	19.4
Florida.....	80,467,000	1904	21,817,478	27.1	Rhode Island.....	25,719,000	1904	15,832,003	61.6
Georgia.....	156,603,000	1903	63,105,810	40.3	South Carolina.....	75,500,000	1903	29,467,716	39.0
Idaho.....	91,877,000	1904	10,115,378	11.0	South Dakota.....	49,646,000	1904	14,354,330	28.9
Illinois.....	805,057,000	1904	(3) 425,709,055	53.8	Tennessee.....	131,166,000	1903	58,536,966	46.6
Indiana.....	375,641,000	1904	165,803,367	44.2	Texas.....	237,718,000	1904	95,209,785	40.0
Iowa.....	344,847,000	1904	57,535,190	16.7	Utah.....	90,325,000	1904	20,682,461	22.9
Kansas.....	356,356,000	1904	60,093,534	16.9	Virginia.....	37,311,000	1902	27,344,020	73.3
Kentucky.....	155,772,000	1904	77,658,040	49.9	West Virginia.....	211,315,000	1904	63,209,623	37.7
Louisiana.....	123,401,000	1904	29,044,195	28.9	Washington.....	182,837,000	1904	26,056,949	14.3
Michigan.....	277,597,000	1904	196,795,600	70.9	West Virginia.....	201,759,000	1904	28,771,558	14.2
Mississippi.....	107,884,000	1902	20,847,640	27.7	Wisconsin.....	284,510,000	1904	218,024,000	76.6
Missouri.....	309,768,000	1903	97,916,870	31.6	Wyoming.....	100,307,000	1904	7,498,232	7.5
Montana.....	196,299,000	1904	36,759,827	18.7	Arizona.....	68,556,000	1904	6,067,349	9.7
Nebraska.....	263,170,000	1904	46,062,853	18.5	District of Columbia.....	5,578,000	1904	2,486,024	44.6
Nevada.....	43,745,000	1904	13,778,049	31.5	New Mexico.....	86,400,000	1904	8,511,598	9.9
New Hampshire.....	79,786,000	1904	22,625,000	28.3	Oklahoma.....	78,068,000	1905	11,936,317	15.2

(1) Excludes depots, section houses, office furniture, etc., assessed locally. In 1903 such property was assessed at \$558,707.

(2) Under the Connecticut law the value of railway property is found by adding to the funded and floating debt the value of the stock as found by its average market value for the year. The assessed value above stated, therefore, covers all property of steam railways within the state, and is not confined to the property devoted to transportation.

(3) Excludes the main line of the Illinois Central Railroad, 705.50 miles in length, which by the provisions of its charter is subject to a tax of 7 per cent on its gross earnings and exempt from all other taxation. Allowance is made for this in determining the ratio above stated.

(4) Excludes 865.83 miles constructed since the adoption of the constitution of 1898 and prior to January 1, 1904, and, therefore, at the date of this assessment, is exempt from taxation. Allowance is made for this in determining the ratio stated.

(5) The amount stated is the aggregate of values as assessed by local assessors.

(6) Excludes the Knoxville and Ohio division of the Southern Railway, 66 miles, and the Mobile and Ohio Railroad, 119.08 miles, both of which pay special privilege taxes, and are at present exempt from the general property tax. Allowance is made for this in determining the ratio stated.

TABLE SHOWING THE COMMERCIAL VALUE OF RAILWAY PROPERTY DEVOTED TO TRANSPORTATION IN THE SEVERAL STATES AND TERRITORIES AS OF JUNE 30, 1904.

STATE, TERRITORY, OR DISTRICT.	Commercial value of railway property as of June 30, 1904.	Per cent of total for United States.	Rank of state.	Number of miles of single track.	Average value, per mile.	STATE, TERRITORY, OR DISTRICT.	Commercial value of railway property as of June 30, 1904.	Per cent of total for United States.	Rank of state.	Number of miles of single track.	Average value, per mile.
United States	(1)\$11 244,852,000	100.000	.....	213,932.13	\$52,000	New Hampshire.....	\$79,786,000	0.709	39	1,275.97	\$62,500
Alabama.....	150,211,000	1.336	24	4,669.35	32,200	New Jersey.....	333,508,000	2.966	10	2,277.85	146,400
Arkansas.....	124,626,000	1.109	27	4,126.44	30,200	New York.....	(1)	7.988	2	8,297.29	103,300
California.....	350,694,000	3.119	8	6,262.54	56,000	North Carolina.....	(1)	1.006	30	4,075.00	27,800
Colorado.....	198,261,000	1.764	19	4,976.24	39,800	North Dakota.....	123,390,000	1.097	29	3,100.77	38,700
Connecticut.....	105,369,000	0.937	32	1,017.72	103,500	Ohio.....	689,797,000	6.134	4	9,190.88	75,000
Delaware.....	17,285,000	0.154	49	335.93	51,500	Oregon.....	75,661,000	0.673	42	1,736.84	43,000
Florida.....	80,467,000	0.716	37	3,555.84	22,600	Pennsylvania.....	1,420,008,000	12.633	1	11,023.24	128,900
Georgia.....	156,063,000	1.392	22	6,304.72	24,800	Rhode Island.....	25,719,000	0.229	48	211.89	121,400
Idaho.....	91,877,000	0.817	34	1,461.53	62,900	South Carolina.....	75,500,000	0.671	43	3,175.28	23,800
Illinois.....	805,057,000	7.156	3	11,622.74	69,300	South Dakota.....	49,046,000	0.441	45	3,047.14	16,300
Indiana.....	375,541,000	3.340	6	6,917.85	54,300	Tennessee.....	131,166,000	1.167	26	3,480.83	37,700
Iowa.....	344,847,000	3.067	9	9,859.23	35,000	Texas.....	237,718,000	2.114	16	11,858.03	20,100
Kansas.....	356,356,000	3.159	7	8,811.43	40,400	Utah.....	90,325,000	0.803	35	1,779.60	50,800
Kentucky.....	155,772,000	1.385	23	3,253.00	47,900	Vermont.....	27,311,000	0.332	47	1,063.25	35,100
Louisiana.....	123,401,000	1.097	28	3,898.74	31,600	Virginia.....	211,315,000	1.879	17	3,982.33	53,700
Maine.....	80,146,000	0.713	38	2,021.58	39,600	Washington.....	182,837,000	1.626	21	3,355.83	54,500
Maryland.....	132,342,000	1.177	25	2,421.10	93,100	West Virginia.....	201,799,000	1.795	18	2,836.83	71,000
Massachusetts.....	250,052,000	2.224	15	2,118.75	118,000	Wisconsin.....	284,510,000	2.530	12	7,048.76	40,400
Michigan.....	277,597,000	2.469	13	5,600.29	32,100	Wyoming.....	100,307,000	0.892	33	1,247.70	80,400
Minnesota.....	466,734,000	4.151	5	7,811.04	59,800	Alaska.....	100,000	0.001	51	27.79	3,600
Mississippi.....	107,384,000	0.959	31	3,480.25	31,000	Arizona.....	68,356,000	0.608	44	1,751.35	39,000
Missouri.....	309,768,000	2.755	11	7,711.05	40,200	District of Columbia.....	5,578,000	0.049	50	32.00	174,300
Montana.....	190,270,000	1.745	20	3,297.10	60,100	Indian Territory.....	79,405,000	0.708	40	2,532.00	31,400
Nebraska.....	263,170,000	2.340	14	5,820.88	45,200	New Mexico.....	86,400,000	0.768	36	2,504.65	34,500
Nevada.....	43,745,000	0.398	46	986.55	44,300	Oklahoma.....	78,668,000	0.700	41	2,511.03	30,100

(1) Exclusive of Jersey City ferries of the Pennsylvania Railroad system. The value of this ferry property is \$5,688,000.

It will be noted that the commercial value of the railroads of Vermont is placed at \$37,311,000.00. This valuation is arrived at in most instances by capitalizing the net earnings of individual railways and railway systems. Income of railway corporations from investments in property not used in the business of transportation was excluded and the capitalization fixed was confined to operating income. This method results in a valuation per mile of road in Vermont of only \$35,100.00, while in New Hampshire the valuation per mile of road is \$62,500.00; in Massachusetts \$118, 000.00; in Connecticut \$103,500.00; in Maine, \$39,600.00.

Judged by this standard of valuation and compared with other states in the eastern section of the United States, the appraisal per mile of line in Vermont is very low. But the larger systems in our state are very important feeders to the operating companies owning or controlling them, and in this view represent much larger value than indicated by an estimate based upon the capitalization of net earnings. The average commercial value per mile for the entire country is \$52,600.00.

It is deemed appropriate to give these facts publicity in this report so that the importance of the relations of the railroads to the state may be fully recognized and appreciated. Supervision, regulation and control of these great corporate enterprises created by charters derived from the state should be accepted as necessary and essential to the best interests of the state, and this supervision and regulation can only be obtained by the enactment of strong and virile laws relating to this subject.

OPPOSITION TO THE COMMISSION.

The Rutland railroad under the new ownership and management of the New York Central system has developed a defiant opposition to the requirements and orders of this commission both in cases where the public has petitioned for better facilities and the installation of safety devices and in cases where this commission, of its own motion, has sought to secure safety of operation on the part of the road. Upon a purely technical point it secured the over-ruling of an order of this commission prohibiting the company from running an engine backward on a passenger train. A terrible accident in which two persons lost their lives would in all probability have been averted if the company had operated its

engine in the way and manner in which it was built and intended to be operated. It is true that the persons attempting to make the crossing in an automobile were guilty of gross carelessness, but the accident would not have happened if the speed of the train could have been slackened the fraction of a second before the crossing was reached. With the engine running with the tender ahead the engineer could see nothing of the approaching automobile until it was actually struck and thrown from the track. With the engine turned around he could have seen it in time to have materially slackened the speed of his train and the automobile would have cleared the crossing in safety. To defiantly contest an order of the commission to operate its engine head first, when facilities for turning it already exist at both ends of the run and when the order of the commission could have been complied with at a very slight expense to the company, is to serve notice upon the people of Vermont that the Rutland railroad company has little care for the safety of the public making use of the highways of the state and that no special effort will be made by that company to afford protection to the public even though it costs the company nothing to do so.

It is an idle defense to say, as the company did before the Supreme Court, that it had no notice of the fact that this commission would investigate the matter of proper operation of the train which caused the accident. The commission gave the company notice that it would investigate the cause of the accident. That cause was determined to be, in part, the running of the engine backwards. It was entirely unnecessary to hold another hearing in order to determine the same thing again so that an order might be made to correct the evil and remove the cause of the accident. Technically, as the Supreme Court held, the law requires a hearing distinct from the hearing investigating the cause of the accident. Common sense will adjudge such a second hearing to be unnecessary and the law should not require it. As a matter of fact, there have been numerous instances where orders have been made upon the Rutland railroad company in accident cases where the company has complied without objection or appeal and the other railroads in the state have never questioned this precedent, which was established early in the history of the commission nearly a score of years ago and which has been followed by all commissions down to this time.

In another instance the Rutland railroad company refused to comply with the order of the commission which was directed

to the protection of grade crossings of the Rutland street railway over the tracks of the Rutland railroad company. This commission made an order requiring the Rutland street railway company to install electric signals to warn approaching trains that a car was making the crossing, such signals to be operated by the conductor of the electric car and to be installed without expense to the Rutland railroad company. The latter company forbade the Rutland street railway company from erecting the necessary poles, wires and apparatus upon the right of way belonging to the Rutland railroad company and gave this commission to understand that it would contest in every possible way the installation of the signals ordered by the commission. Pending the adjustment of the matter numerous citizens of the city of Rutland petitioned for gates or flagmen at these same crossings and two others within the city of Rutland and lengthy hearings were had upon the petition. An order was finally made requiring the Rutland railroad company to employ a flagman at one of the crossings where the electric railway crosses the steam road at grade and to install gates at another crossing also crossed by the electric railway. This will afford substantial protection to the electric cars at these crossings and at the same time make safe the passage of travelers upon the highway. These gates were to be in operation on July 1st, 1906 and the flagman was also to commence his duties on the same date. At this writing no appeal has been taken and no move has been made by the Rutland railroad company toward carrying into effect the order of the commission and it is expected that every effort will be made to defeat the protection to the public which the order seeks to secure.

The Rutland railroad company is now contesting before the Supreme Court another order of the commission requiring the company to furnish depot facilities at Bartonville. A depot was maintained here for many years until it burned down and was abandoned by the company. There is no station between Chester and Bellows Falls, a distance of fifteen miles. Citizens of the town of Rockingham petitioned for a depot building and the employment of an agent at Bartonville, and, upon hearing, a new station was ordered and thereupon the Rutland railroad company appealed from the decision of the commissioners to the Supreme Court. All of these cases are fully set forth in the chapter on complaints, petitions and orders, to which refer.

From these acts of the Rutland railroad company it is to be concluded that the safety and accommodation of the public is a

secondary consideration in the operation of the road under its present management. The public, from the Rutland railroad point of view, would seem to have no rights which this railroad company is bound to respect and no concealment is made of the effort to thwart and defeat the regulations which the state seeks to enjoin upon the operation of the road in the interests of the safety and accommodation of the people through the railroad commission, its regularly constituted authority. No other railroad company has sought to question the acts or orders of the commission. No other railroad company has strenuously opposed the installation of devices calculated to protect the public from danger whenever these devices have been recommended or ordered by the commission. If the policy of the Rutland railroad company is to refuse such protection when ordered by the commission, then it is the plain duty of the general assembly to enact specific measures compelling that company in particular instances to establish proper means of protection to the public, because safety to life and limb is always of the first importance in the operation of a railroad. If the influence of the Rutland railroad company at the capitol is to defeat all legislation calculated to promote and protect the people in the use of the highways of the state and calculated to furnish reasonable and needed depot facilities, then the plain duty of the general assembly is to abolish the railroad commission and abandon its right to regulate the railroad corporations which it has created and permit them to prey without restraint upon the people and menace without hindrance the lives of those who travel upon our highways.

These comments are applicable to no other railroad corporation in the state. In many instances the conclusions of the commission in the determination of petitions and in the investigation of accident cases have been widely different from the results hoped for by the railroad companies affected; but in almost every instance the conclusions of the commission have been cheerfully accepted and the recommendations and orders acted upon, except as above noted in the case of the Rutland railroad company. This brings us to the consideration of the subject of

DELAYS ATTENDANT UPON THE ENFORCEMENT OF ORDERS.

The law as it stands provides more than one way in which the orders of the commission may be enforced. In some cases application may be made to the Supreme Court and in these instances the court has power to appoint another commission whose duty it is to go all over the same ground a second time and report the evidence back to the court. And upon the facts elucidated at this second hearing the court makes up its judgment. It is submitted that this is both unfair to the parties and to the commission. Assuming that the railroad commission is armed with the proper facilities of reporting the evidence and facts to the court in the first instance, why should another commission be created to perform the same service? The question answers itself. And if a new commission is created for this purpose then it may have presented to it other and further evidence upon which the railroad commission, in its hearing of the case, did not and could not pass. By means of such a statute the railroad corporations succeed in discouraging petitioners who seek relief because of the expense and time involved in securing a final judgment upon their petition.

The second means provided by the statute for securing the enforcement of the orders of the commission is by the imposition of a penalty of twenty-five dollars per day to be recovered in an action brought upon the statute for that purpose; but the law permits the railroad company to take an appeal to the Supreme Court within thirty days from the date of the order and stays the order of the commission pending the determination of the appeal by that court. So that in either case months and perhaps years may elapse before an order of the commission is complied with even though finally sustained and affirmed by the judgment of the Supreme Court. There are no teeth in such a law.

No person would seek to deny the railroad company its right of appeal from the decision or order of the railroad commission. But methods can be and ought to be invoked that will result in securing to the petitioners and the public a speedy and inexpensive determination of the questions involved. The commission should allow reasonable time in which to comply with its order and after the order is made the railroad company should have ten days in which to apply to two judges of the Supreme Court for an order staying the order of the commission pending an appeal and a determination by the Supreme Court. If two judges refuse such order

of stay then the order of the commission should be complied with forthwith, pending the determination of the appeal the same as if no appeal was taken. This course is subject to the objection that if two judges refuse an order of stay and the railroad company complies with the order pending the appeal all the expense is made and eventually the Supreme Court may vacate the order of the commission. But in its present state there are no teeth in the law and railroads may refuse to obey the orders of the commission with impunity and accept the large chance of eventually escaping altogether. No serious hardship would result from amending the law as above indicated and the commission would at once become an instrument of real use and benefit to the state.

LEGISLATION.

In the biennial report of this commission for 1904 quite a number of changes in the railroad law of the state were recommended. Bills were prepared and introduced covering most of the changes deemed of importance but none of these measures were enacted into law, save two or three intended to lessen the possibility of accidents. Owing to an influence which this commission is bound to say was more potent than reasonable, most of the recommendations received scant attention on the part of the general assembly. It is considered useless to reiterate these recommendations and ask again for the enactment of these specific measures. They are all embodied in the railroad laws of many other states and have been found useful in the regulation and control of railroads. Vermont is certainly far behind her sister states in conferring upon the railroad commission powers that are manifestly wholesome and salutary and which can be exercised without imposing any large burden upon our carrying corporations.

The entire railroad commission law should be recast and the duties and powers of the commissioners should be made clear and unambiguous; these duties and powers should not conflict with those exercised by the Supreme Court under other sections of our present law, but the Supreme Court should be made a court of appeal in which the decisions and orders of the commission can be finally reviewed. Redress of wrongs suffered by individuals should be quick and inexpensive and power should be given the

commission to hear and determine, in the first instance, many issues which are now left to the adjudication of commissioners appointed by the courts. Experience has shown that remedies are seldom if ever sought by such an expensive and complex process, the injured party preferring to suffer the inconvenience and wrong than to commence litigation in order to obtain redress. Railroad companies naturally prefer to have no changes made in the law that will simplify and expedite proceedings for relief. The more expensive and tedious the remedy the less likely is the individual to invoke assistance.

It has been claimed that the railroad commission is a useless and expensive adjunct of the state government. But the railroad commission is just what the general assembly has made it. If the legislative authority yields supinely to the unfortunate influence of railroad representatives outside the green baize doors of the legislative halls and permits this influence to dictate how impotent a railroad commission shall be, then the fault is with those who constitute the law making body. The inevitable consequence is that the people must suffer the outrageous inconveniences of railroad travel, lack of proper connections between trains of different systems, inadequate facilities at railroad stations, delays in the adjustment of differences, dangers at highway grade crossings, insecure and improper management of electric railways, lack of farm crossings and many other failures to reasonably promote the safety, security and convenience of the public. A sure result of this indifference of the law making power to remedy these defects in the railroad law of the state is the discordant note of defiance which goes up from at least one railroad corporation whenever the railroad commission seeks to afford relief to petitioners upon abundant proof that wrongs are being suffered. Secure in the conclusion that the general assembly will not clothe the railroad commission with any real authority this railroad company insolently refuses to obey any mandate of the commission.

A careful reading and examination of this report, which contains a detailed record of the work of the commission, will disclose the fact that very many desirable results have been obtained through the instrumentality of the board. But very much more can be and ought to be accomplished, and that without sensibly increasing the expense of the commission. The revision of the railroad laws should be entrusted to competent authority within the general assembly who will see to it that the most wholesome and practical regulations shall be amply provided for.

The experience and observation of this commission covering several years of service warrants the assertion that without the instrumentality of a railroad commission abuses will most certainly arise for which any remedy will be exceedingly slow and expensive. Regulation in some form is essential and the benefits to be derived from the services of a railroad commission will be directly proportionate to the powers conferred and the virility of the law. It is submitted that it would not be unwise to try the experiment of enlarging the powers and strengthening the law to the end that Vermont may have a strong commission for a term of years and if the results are not satisfactory then abolish the entire system of control.

ACCIDENTS.

During the biennial term quite a number of distressing accidents have occurred upon the railroads of this state though none of them have involved the loss of more than three lives and nearly all of them were accidents at highway grade crossings or to trespassers upon the track. February 21, 1905, Jonathan Ross, former chief judge of the Supreme Court, United States senator and chairman of this commission, was fatally injured and his wife instantly killed at a highway grade crossing on the St. Johnsbury & Lake Champlain railroad in the town of Concord. The report of the public investigation of this accident is published on page 107 of this volume. Several other accidents of a similar nature have occurred at railway crossings which are blind and dangerous and there seems to be no promise of relief from such accidents until these highway grade crossings are abolished or protected by some device to warn travelers upon the highway. Several collisions have also occurred, nearly all of which might have been avoided; they were due to a disregard of plain orders and notable among these are the collisions at Oakland, Swanton Junction and South Royalton, all on the Central Vermont railway.

On the 26th day of January, 1906, the New England States Limited train on the Central Vermont railway ran into an open switch at Bolton and the entire train was derailed. No persons were injured in this accident but the circumstances tended to show that some person had maliciously opened the switch and so this commission ordered a public investigation of the accident. The testimony of a large number of witnesses was taken and as a result of

the inquiry Patrick McCabe, employed as station agent at Bolton, was arrested upon a charge of perjury committed before the commission and also upon a charge of train wrecking. The evidence was not such as to warrant the finding that McCabe actually opened the switch where the accident occurred and the commissioners have been unable to arrive at any definite conclusion in respect to the matter. It has been deemed best to refrain from making any report upon this accident until McCabe has his trial in Chittenden county court.

During the biennial term 84 persons have been killed and 117 injured; of these 17 were killed and 7 injured at highway grade crossings and of trespassers upon the track 36 were killed and 11 injured. A detailed statement of these accidents and the results of investigations made by this commission will be found in the chapter entitled Accidents.

TIE RENEWALS.

In order to place in convenient form for reference the work of all railroads in the renewal of ties during the past two years, the following tables are published. These returns cover the calendar years of 1904 and 1905. No returns for the year 1906 are now available as the work is not entirely completed on some roads.

RENEWALS OF TIES IN VERMONT, 1904.

ROADS.	TAM- ARACK.	CHEST- NUT.	HARD PINE.	CEDAR.	OAK.	HEM- LOCK.	CY- PRESS.	TOTAL.	MILES ROAD.
Atlantic & St. Lawrence (G. T. Ry.)					6572			14536	30.56
Barre	53			7964		2782		4832	27.00
Boston & Maine, Conn. & Pass. Div.	134	27620		11593	464	403		40214	109.33
Fitchburg Div., (2 tracks)		1687	50	1475	1205			4417	12.70
Bristol	800			1200				2000	6.59
Central Vermont, Windsor to Canadian Line		18339	49256	266				67861	224.80
Missisquoi Branch		8588						8588	32.00
Burlington & Lamoille Branch		8186	942	56				9184	37.80
Brattleboro & Whitehall Branch		8993						8993	38.60
Swanton Junction to Rouses Point		4107	433	441				4981	29.00
Clarendon & Pittsford	3713		1005				200	4918	17.00
Delaware & Hudson		2969	8946		1491			13406	46.45
Hardwick & Woodbury				300		4900		5200	9.50
*Hoosac Tunnel & Wilmington									
Maine Central									
Manchester, Dorset & Granville			97	1180		820		2097	13.85
Montpelier & Wells River		32		63	8			103	5.00
Montpelier & Atlantic (C. P. R.)	48			4302		7732		12082	43.62
Rutland, B. & R. Division	350			6050		5900		12300	21.57
Rutland to Bellows Falls	3000			20000				23000	59.00
Main Line, Rutland to Burlington	600	300		12000				12900	52.20
Rutland Canadian Division	1600			15000				16600	67.00
Addison Branch				1450				1450	38.00
St. Johnsbury & Lake Champlain	150			1000				1150	15.00
Victory Branch	465	1664		15649	160	22698		40636	120.00
Vermont Valley				1842		1196		3038	11.10
White River		4944			184			5128	43.97
Woodstock						2500		2500	18.86
						170	2667	2837	14.00

* No data.

RENEWALS OF TIES IN VERMONT, 1905.

ROADS.	BROWN ASH.	TAM- ARACK.	CHEST- NUT.	HARD PINE.	CEDAR	OAK	HEM- LOCK.	CY- PRESS.	TOTAL	MILES ROAD.
ATLANTIC & ST. LAWRENCE, (G. T. Ry.)...					7676	3799			11472	30.56
BARRÉ.....					1684		3380		5064	27.00
BOSTON & MAINE, Conn & Pass. Div.		100	39253		769	3244	2108		45474	109.33
Fitchburg Div. (2 tracks).....			2167	953	500	2052			5672	12.70
BRISTOL.....		800			1200				2000	6.59
CENTRAL VERMONT:										
Windsor to Canadian Line.....			1805	50350	10071				62226	224.80
Missisquoi Branch.....			160	24	4474				4658	32.00
Burlington & Lamoille Branch.....			75	1724	5498				7297	37.80
Brattleboro & Whitehall Branch.....			47099						47099	38.60
Swanton Junction to Rouses Point.....			100	459	3424				3983	29.00
CLARENDON & PITTSFORD.....				8847		280			9127	17.00
DELAWARE & HUDSON.....			2969	8946		1491			13406	46.45
HARDWICK & WOODBURY.....	100				600		4700		5400	9.50
*HOOSAC TUNNEL & WILMINGTON.....										
MAINE CENTRAL R. R.....		88		86	971		728		1873	13.85
MANCHESTER, DORSET & GRANVILLE.....			108		94	302			504	5.00
MONTPELIER & WELLS RIVER.....		339			12512		16445		29296	43.62
MONTREAL & ATLANTIC (C. P. R.).....		400			5850		5750		12000	21.57
RUTLAND, B. & R. Division.....			1500	1400	7600				10500	59.00
Rutland to Bellows Falls.....				2000	5750	*1000			8750	52.20
Main Line, Rutland to Burlington.....			200	2200	11000				13400	67.00
Rutland Canadian Division.....				350	4200				4550	38.00
Addison Branch.....					1300				1300	15.00
St. JOHNSBURY & LAKE CHAMPLAIN.....		607			4983	50	21740		27409	120.00
Victory Branch.....			29		1863				1863	11.10
VERMONT VALLEY.....			5234			555			5789	43.97
WHITE RIVER.....					300	3200			3500	18.86
WOODSTOCK.....								4228	4228	14.00

* No data.

MAP.

The map accompanying this report has been brought down to date and several errors in the edition of 1904 have been corrected.

COST OF COMMISSION.

For the fiscal year ending June 30, 1905, the per diem of the three members of this commission amounted to the sum of \$4014.00 and their expenses for the same period including experts, stenographers, attorneys' fees, postage, stationery, printing biennial report, miscellaneous printing, maps, telegraph and telephone and witness fees amounted to the sum of \$2269.99. For the fiscal year ending June 30, 1906, the per diem of the three commissioners amounted to \$3885.00 and all other expenses aggregated \$2799.47.

FULLER C. SMITH,
HENRY S. BINGHAM,
GEORGE T. HOWARD,
Railroad Commissioners.

Montpelier, October 4th, 1906.

Complaints, Petitions and Orders.



PASSENGER STATION AT BENNINGTON—RUTLAND RAILROAD.

Complaints, Petitions and Orders.

PETITION OF ST. JOHNSBURY & LAKE CHAMPLAIN RAILROAD.

*Subject: Abolishment of two highway grade crossings in the town of
Walden.*

Docket Entries:

June 8th, 1903, petition filed; July 21st, 1903, notice of hearing at Walden for July 29th, 1903; July 29th, 1903, hearing at Walden; October 7th, 1904, report and order; February 7th, 1905, order for extension of time to complete work; August 9th, 1905, hearing at Walden on motion to modify order; November 27th, 1905, final order issued.

Appearances: Harry Blodgett for St. Johnsbury & Lake Champlain railroad company; Selectmen of Walden for town of Walden; Charles T. Norcross for himself.

PETITION.

*To Fuller C. Smith, Henry S. Bingham, and Horace W. Bailey,
Railroad Commissioners for the State of Vermont:*

The St. Johnsbury & Lake Champlain railroad company respectfully represent to your honorable board that there is located upon its line of road, in the town of Walden in the county of Caledonia and state of Vermont, a flag station, called "Dows", that one of the approaches to the station is along and over a public highway in said town which is known and called the "Hazen road", and which Hazen road crosses the tracks of the petitioner's railroad at grade a few feet southerly of the said flag station, that at a distance of some eight hundred feet westerly from said grade crossing past the house of Charles T. Norcross, the Hazen road intersects with a certain public highway, extending easterly through an under-pass on the petitioner's said railroad, that said under pass is located about two hundred and seventy feet southerly from the Hazen road grade crossing; that there is in said town of Walden a certain other public highway which is used as an approach to said flag station, which intersects with the Hazen

road on the westerly side of the said station, and which extends northerly through the land of Charles T. Norcross nearly parallel to the tracks of the railroad for a distance of some thirteen hundred feet at which point the highway crosses the railroad at grade, the last described road is known as the East Hardwick road; that each of said grade crossings are located within a distance of some sixteen hundred feet of the said under-pass.

That said grade crossings are claimed by some of the inhabitants in the vicinity, who have occasion to use the same, like other grade crossings, to be dangerous, and that they ought to be abolished.

That in order to abolish said grade crossings, and to furnish reasonable accommodations for the public, it will be necessary to remove the said station to the easterly side of the tracks, and to discontinue and abolish the Hazen road from the point of its intersection with the road to the under-pass, to the easterly side of the right of way of the railroad, either in whole or in part; and also to discontinue and abolish the said East Hardwick road, from the point of its intersection with the Hazen road along and through the land of Charles T. Norcross, to the easterly side of the right of way of the railroad, a distance of some thirteen hundred feet.

That the convenience and accommodation of the public require, should said grade crossings be abolished and the said two roads discontinued, and the station removed to the easterly side of the tracks, that you should also lay out, survey, establish and cause to be built, a new highway commencing at a point in the Hazen road nearly opposite the dwelling house of said Charles T. Norcross, and extending on a course of about S. 30 degrees, 15 minutes, E. 272 feet to the northerly side of the road leading through the under-pass, and through land owned by John Edwards, of said Walden; and also lay out, survey, establish and cause to be built a new highway, commencing at the point of the discontinuance of the East Hardwick road, on the easterly side of the right of way of the railroad, extending southerly along through the land of John Edwards, on the easterly side of the railroad to the Hazen road, and thence through the land of M. C. Norcross to the road at or near the under-pass, and the easterly side of the same.

That two of the board of selectmen of the town of Walden, are Charles J. Bell, whose post office address is East Hardwick, Vt., and Charles A. Burbank, whose post office address is Walden, Vt. That the persons whose land would be taken, by said proposed changes and who are particularly interested in the same, are John Edwards, M. C. Norcross, and Charles T. Norcross, and

the post office address of each is South Walden, Vermont.

The St. Johnsbury & Lake Champlain railroad company, therefore pray your honorable board to take all the matters herein set forth into consideration, and fix a time and place for hearing the same, causing due notice thereof first to be given to said selectmen of said town of Walden and to said named owners of real estate, and fully investigate all the matters herein set forth, and upon such investigation that you order and direct a change of the location of said flag station, and if you find the said grade crossings to be dangerous, that you order and direct the abolishing of the same, and the discontinuance of said Hazen road and the East Hardwick road, so called, between the points in the petition set forth, or such parts thereof, as you deem reasonable and proper in the premises, and that you will lay out, survey, establish, and cause to be built, or order and direct to be laid out, surveyed, established and built, the whole or such parts of the proposed highways herein set forth and described, as shall reasonably convene and accommodate the public, and apportion the expense of the construction of such highways, and other work as may be ordered between the said town of Walden, and the petitioner, in accordance with the provisions of the statutes in such case made and provided.

Dated at Lyndonville, this third day of June, A. D. 1903.

ST. JOHNSBURY & LAKE CHAMPLAIN RAILROAD COMPANY,

By H. E. Folsom, Superintendent.

HARRY BLODGETT, *Attorney for Petitioner.*

REPORT AND ORDER.

The petition asks for the abolishment of two grade crossings on the St. Johnsbury and Lake Champlain railroad at Dow's station, the first crossing being located a few feet southerly of the depot, and the second about 1300 feet northerly thereof; for the discontinuance of the highway leading from the dwelling house of Charles T. Norcross, to a point just easterly of the last named grade crossing; for the building of a new highway leading from a point just easterly of the last named grade crossing through lands of John L. Edwards, southerly to a point intersecting the present highway leading easterly from said Dow's station; for the building of a highway from said Dow's station west of and parallel with the track of said St. Johnsbury & Lake Champlain railroad company southerly to a point intersecting the highway leading

easterly through the under pass; for the removal of the depot to the easterly side of the track of said St. Johnsbury and Lake Champlain railroad company; and for the apportionment of the expense of all these alterations.

The commissioners find, that while the two grade crossings which the petitioner seeks to abolish are not especially blind or hazardous, they are, in common with all grade crossings more or less dangerous. They can be abolished at comparatively small expense, and without great inconvenience to the public making use of them. The town of Walden is quite heavily in debt, and the St. Johnsbury & Lake Champlain railroad company is unable, financially, to bear the burden of expensive improvements not essential to the safe operation of the road. Many citizens of Walden petitioned the commissioners to deny the prayer of the petition and appeared in person at the hearing upon the petition and entered their protests against the abolishment of the two grade crossings, on the ground of inconvenience to the public, expense to the town, and claiming that the crossings in question are not dangerous. The commissioners believe that all grade crossings are dangerous and that the inconvenience of the public and of individuals must yield to universal demand for greater safety in the operation of railroads. Accidents, in most cases fatal, are of frequent occurrence at grade crossings which are not more blind or hazardous than the crossings named in the petition, and the commissioners cannot justify themselves in putting aside the opportunity to abolish these two crossings when this result can be obtained at so little cost and inconvenience.

It is therefore ordered that the highway on the westerly side of the track of the St. Johnsbury & Lake Champlain railroad company leading from the dwelling house of Charles T. Norcross to and across the first grade crossing north of Dow's station be discontinued, abolished and closed to public travel on and after January 1st, 1905; that a new highway three rods wide be built and opened for public use, extending from a point on the present East Hardwick road just easterly of the grade crossing last herein named, through the lands of John L. Edwards, southerly and substantially parallel to the track of the St. Johnsbury and Lake Champlain railroad company, to a point where it will intersect the highway leading easterly from the grade crossing just south of Dow's station, and that the traveled track of said new highway be worked in width and condition to a standard of excellence generally averaged by the highways of the town of Walden and to

the satisfaction of this board, and that said new highway be opened for public use and travel on or before the 1st day of January, 1905.

It is further ordered that the highway leading easterly across the first grade crossing southerly of Dow's station from a point in the westerly line of the right of way, be discontinued, abolished and closed to public use and travel on and after January 1st, 1905. It is ordered that the entire expense of the discontinuance of said highways hereinbefore described and of the building of the new highway hereinbefore ordered, together with all land damages, be paid by the St. Johnsbury and Lake Champlain railroad company.

The town of Walden may elect whether it will condemn the land of said Charles T. Norcross westerly of said railroad track for such width as is necessary to build a highway leading from the dwelling house of said Charles T. Norcross to the under-pass southerly of said Dow's station, and build and open for public use and travel a highway thereon, or continue in use the present means of access to said under-pass from the west.

It appearing that a large number of citizens of Walden and vicinity making use of the facilities afforded by the St. Johnsbury and Lake Champlain railroad company at Dow's station, asked to have the station building remain in its present location, the commissioners do not order a removal of the same to the easterly side of said railroad company's track.

And it is ordered that the town of Walden, by its selectmen, shall immediately institute such proceedings under the provisions of the law as are necessary to legally discontinue the highways hereinabove ordered to be discontinued, and close and discontinue the same on or before the 1st day of January, 1905, and that this order be recorded in the office of the clerk of said town of Walden, and that such record shall operate as an order of the board of railroad commissioners of the state of Vermont for the opening of said new highway above referred to and described, for public use and travel, and for the discontinuance of the highways, and the highway grade crossings above specified.

For the purpose of establishing more definitely the points of compass, and the location of the highways and grade crossings hereinabove described, the blue print plan marked "Plan showing grade crossings at Dow's Crossing, Vt., May, 1903," and which is on file in the office of the board of railroad commissioners of the state of Vermont, at Montpelier, Vermont, is hereby referred to and made a part of this order.

Done at Montpelier, Vermont, this 7th day of October, A. D. 1904.

FULLER C. SMITH,
HENRY S. BINGHAM,
GEORGE T. HOWARD,
Railroad Commissioners.

FINAL ORDER.

The petition in this case prayed for the alteration of the highway in the town of Walden running northerly from the railroad station called Dow's. It asked that a new highway be constructed on the easterly side of the track and that the two grade highway crossings, one located about 1,300 feet northerly of said station and the other just southerly thereof, be closed to public travel. Upon this petition, after full hearing, an order was made by the railroad commissioners changing and altering the highway and locating the same on the easterly side of the track and discontinuing the highway leading northerly from said station on the westerly side of the track and also ordering that the highway leading across the railroad track just southerly of Dow's station be discontinued and both highway grade crossings be closed to public travel on and after January 1st, 1905. Subsequently, upon request of the petitioner the time was extended for the completion of the work.

On the 12th day of October 1905 the commissioners examined the new highway constructed on the easterly side of the railroad track upon due notice to the petitioner and the selectmen of the town of Walden and the adjacent property owners. It appearing that the work done by the petitioner in constructing the new highway and the location thereof was in all respects in accordance with the order of the commissioners and that the new highway is worked in width and condition to a standard of excellence generally averaged by the highways of said town of Walden and to the satisfaction of the commissioners, it is therefore ordered:

That the new highway constructed on the easterly side of the track of the St. Johnsbury & Lake Champlain railroad company northerly from Dow's station for a distance of approximately 1,300 feet together with the location thereof be and the same are hereby approved by this board of railroad commissioners; and it is ordered that said highway and every part thereof be opened for public travel on the 1st day of December 1905 and that upon said last mentioned day the following highways in said town of Walden

and the grade crossings hereinafter described be discontinued and abolished and closed to public travel and use, viz:

All the highway in said town of Walden leading from a point in the east line of the right of way of said St. Johnsbury & Lake Champlain railroad company where said right of way crosses the present highway at grade first northerly of Dow's station and continuing across said grade crossing and southerly along the westerly side of the track of said company to Dow's station, thence easterly across the track of said company at grade to a point in the easterly line of the right of way of said St. Johnsbury & Lake Champlain railroad company where said right of way crosses the present highway first southerly of Dow's station, including both of said highway grade crossings.

It is further ordered that said original order of this board dated October 7th, 1904, and this order of approval of said new highway and of the discontinuance of the old highway and abolishment of said two grade crossings be recorded in the office of the clerk of said town of Walden and such record shall operate as an order of the board of railroad commissioners of the state of Vermont for the opening of said new highway for public travel and for the discontinuance of the highway and grade crossings above referred to and described as provided by law.

Done at St. Albans, Vt., this 18th day of November, 1905.

FULLER C. SMITH,

H. S. BINGHAM,

GEORGE T. HOWARD,

Railroad Commissioners.

PETITION OF THE BOSTON & MAINE RAILROAD.

Subject: Establishment of interlocking plant at St. Johnsbury.

Docket Entries:

July 29th, 1904, letter of application filed; September 10th, 1904, report and order.

This application was made by the Boston & Maine railroad under the provisions of Act No. 287 of the laws of 1902. The facts appear in the order.

REPORT AND OPINION.

The Boston & Maine railroad made application under the provisions of Act No. 287 of the laws of 1902 for permission to

establish and maintain, at the grade crossing of said railroad with the tracks of the St. Johnsbury & Lake Champlain railroad, in the yard at St. Johnsbury, an interlocking plant with a system of derails governing the approaches to said crossing. A blue print plan and specifications covering said interlocking plant were filed, and the same being approved, the work of installation was commenced and completed on the 7th day of September 1904, when an examination of the entire plant was made by commissioners Bingham and Howard.

The interlocking plant erected and installed at said crossing by the Boston & Maine railroad is hereby approved by the board of railroad commissioners of the state of Vermont and the Boston & Maine railroad and the St. Johnsbury & Lake Champlain railroad company may commence and continue the operation thereof, under the provisions of said Act No. 287 of the laws of 1902, from and after the 12th day of September, 1904. And it appearing that an agreement has been reached between the said Boston & Maine railroad and the St. Johnsbury & Lake Champlain railroad company whereby the latter company agrees to pay 25 per centum of the cost of installing said interlocking plant, in compliance with section 2 of said Act No. 287 of the laws of 1902, both said Boston & Maine railroad and said St. Johnsbury & Lake Champlain railroad company, from and after the 12th day of September 1904, are excepted from the provisions of section 3,869 V. S., as amended by No. 69 of the laws of 1902 and section 3,870 V. S., until the further order of this board. The plans and specifications of said interlocking plant are on file in the office of the board and may be referred to.

Done at Bennington, Vt., this 10th day of September 1904.

FULLER C. SMITH

H. S. BINGHAM,

GEORGE T. HOWARD,

Railroad Commissioners.

PETITION OF G. G. BENEDICT AND SEVENTY-FIVE CITIZENS OF VERMONT.

Subject: Accomodations at Essex Junction.

Docket Entries:

October 20th, 1904, petition filed; October 26th, 1904,
notice of hearing at Essex Junction November 2nd, 1904;
November 2nd, 1904, hearing at Essex Junction.

The appearances are noted in the report.

PETITION.

To the board of railroad commissioners of the state of Vermont, in the matter of reasonable accommodation of passengers traveling on the Central Vermont railroad:

Section 3991 of the law conferring your powers, provides that "In case of a failure of proper connection between railroads in this state, or if proper and reasonable accommodations are not furnished for the transportation of passengers or freight, the commissioners shall inquire into the cause of the same.....and make such recommendations in respect thereto as they deem just and.....forthwith make public their conclusions together with a brief statement of their reasons for the same, and the recommendation, if any, made by them in respect thereto."

The undersigned respectfully petition you to exercise these powers in regard to "a failure of proper connection" which is also a case where "proper and reasonable accommodations are not furnished for the transportation of passengers." The defective situation is so extreme and so long continued that not only has it been fraught with serious inconvenience to most of the people of Vermont and of the strangers traveling, sojourning or seeking summer homes among them, with much loss of health and property and with great hindrance to the state's development in wealth and the educating and elevating influences which depend upon the prosperity of cities; but it has also become notorious throughout the country and beyond the country, and has even found its way into permanent literature—all to the discredit of the good name of the state.

These evil conditions are not necessary, but they have now been endured for nearly two generations, and during all that time, the first visible opportunity to rid the state of them has been the

appointment of your honorable board with powers whose expression we have cited.

Wherefore we, the undersigned, petition that you devise and recommend some means for relieving passengers from the loss of time, and risks to property and health, needlessly imposed by shifts and delays at Essex Junction; and for relieving the state from the disgrace of such conditions.

These evils have undoubtedly been amply realized in your own experience, but we beg leave to call your special attention to the fact that all the railroad travel between the capital of the state and its largest city (not to speak of a vast amount of other travel), must pass through Essex Junction, and that although attempts have been made, especially during the sessions of the legislature and the White Mountain season, to avoid the evils by running some cars and one or two trains without change at Essex Junction, it has generally proved impracticable to avoid serious delays for shifting of baggage, remaking of trains, and other difficulties that infest every "junction."

We submit that such shifts of baggage and cars should be made in Burlington itself, where outgoing passengers need not reach the train, or incoming ones wait by it, until the shifts are made.

We do not suggest that to accomplish this the through passenger trains should be run into Burlington and back to Essex Junction. For although many roads—notably the Pennsylvania at Philadelphia—do run all trains back and forth on such side lines, for the sake of making junctions at places where the bulk of passengers start or stop, the distance between Essex Junction and Burlington is greater than in most similar situations, there being few roads laid out like the Central Vermont, with the distinct intention of side-tracking both the capital and metropolis of a state. The obvious remedy, so far as concerns the vast majority of travelers, is to build a connection from Burlington to Colchester, and make the line from Essex Junction to Burlington and from Burlington to Colchester the main passenger line. This connection could leave the present track near the northerly mouth of the Burlington tunnel; the length of track to be traversed twice between there and the station, would be less than the similar track of the Pennsylvania road at Philadelphia. Such a new connection would slightly increase the distance traveled by the through passengers, but would reduce, by at least a half, that of the vastly

large number of way-passengers between Burlington and the north.

Such a road would naturally go near Mallett's Bay, and so develop important pleasure travel to that beautiful spot, with a profitable picnic, recreation, boating and bathing establishment, such as enterprising railroads generally are now developing.

Whether the connection with Colchester, so pitifully needed, should be built by the Central Vermont company as a matter of business, is one point for your wisdom to consider. Like other follies and crimes, Essex Junction has certainly brought many evil consequences on its perpetrators and their successors—the shuttle trains and the duplication of service, and other wastes (not to speak of the competition of the new route between Burlington and Montreal without an Essex Junction) must be heavy burdens on the Central Vermont road. If upon investigation, your wisdom determines that relief from those burdens, increase of travel caused by vastly improved facilities, and what direct profit might come from a road to Colchester, would justify the Central Vermont company in building such a connection, then we earnestly petition that you recommend the company to build it.

If your wisdom determines that the Central Vermont company cannot justly be recommended to build that connection at its own risk, then we earnestly petition that you will devise and recommend a scheme by which persons affected shall give the company reasonable aid, by their credit or the credit of their towns; and that you will use your influence and ability, with such other influence and ability as you may care to enlist, for the carrying out of such a scheme. The capital of the state, its largest city, and every town on the entire line of the Central Vermont road suffer seriously from the lack of that connection; and the persons affected are not merely all who travel to and from Burlington by that road, and most of those who travel to and from the capital; for although these include the majority of the inhabitants of the state and virtually all its officers and legislators, the matter reaches beyond them, to all persons who have any regard for the state's prosperity, self-respect and good name.

Wherefore your petitioners will ever pray.

G. G. BENEDICT,

and seventy-five others.

REPORT AND DECISION.

Pursuant to reasonable notice the commissioners met at Essex Junction on the second day of November 1904, to hear the petition of G. G. Benedict and others, relating to train accommodations furnished by the Central Vermont railway company at Essex Junction. C. W. Witters appeared for the Central Vermont railway company. Allen Martin for citizens of Essex Junction. None of the petitioners were present at the hearing and no person appeared to represent them.

The petition is based upon section 3391 V. S., but this section of the law was repealed by the general assembly of 1902. The petition alleges that the obvious remedy for the serious delays of trains at Essex Junction "is to build a connection from Burlington to Colchester and make the line from Essex Junction to Burlington and from Burlington to Colchester the main passenger line." The commissioners know of no authority given them under the law to either recommend or order the building of such a line, and in absence of any proof, are not convinced that such a change would result in a greater benefit than inconvenience to the travelling public.

The allegations of the petition were not sustained by any proof and no finding of fact can be based upon the petition alone.

Under these circumstances the commission is not warranted in making any order or recommendation in reference to the subject matter complained of and the petition is dismissed for want of prosecution and without prejudice.

Done at Montpelier, Vermont, this 4th day of November, 1904.

FULLER C. SMITH,
H. S. BINGHAM,
GEO. T. HOWARD,
Railroad Commissioners

PETITION OF CITIZENS OF ALBURGH.

Subject: New station at Alburgh.

Docket Entries:

November 7th, 1904, petition filed; November 7th, 1904, notice of hearing for November 15th, 1904; November 15th, 1904, hearing continued; January 12th, 1905, hearing at Alburgh.

Appearances: H. H. Powers for Rutland railroad company; C. W. Witters for Central Vermont railway company; numerous petitioners for themselves.

PETITION.

To the Railroad Commissioners:

We, the undersigned citizens and patrons of the Alburgh station, do hereby request that a station for the convenience of the people of said Alburgh, Vt., and elsewhere, be built between the two connecting lines, the Central Vermont railway and the Rutland railroad, at said station, as at present time there is no station suitable or convenient for the necessities at that station, as station was burned some few months ago.

We therefore ask said commissioners to erect such depot as they deem proper between the two connecting lines.

J. S. GOODFELLOW,
and thirty-three others.

REPORT AND DECISION.

Pursuant to seasonable notice the commissioners met at Alburgh on the 12th day of January 1905, and heard the parties. Dr. Goodfellow and other of the petitioners were present; the Central Vermont railway company was represented by C. W. Witters and the Rutland railroad company by H. H. Powers. The testimony of several witnesses was taken and plans were submitted by both railroad companies showing the stations proposed by each.

The Rutland railroad company proposed to locate a union station in the angle between the two roads and 200 feet easterly of the highway crossing, the approach to which would be by means of a driveway located between the two main lines. The plan involved an area for the accommodation of teams and carriages only 35 feet wide at its widest point and narrowing to a space only 20 feet in width; this space was to be surrounded upon two sides by a low platform and upon the easterly side by the depot building itself.

The Central Vermont railway company proposed to erect a station upon practically the same site as that occupied by the former depot and to give the Rutland railroad access to it by means of planking and filling between the rails and the tracks of the two companies so than an even surface would be afforded for the transfer of passengers and baggage from one road to the other.

A petition protesting against the location of the new station on the site proposed by the Rutland railroad company and asking for its location upon practically the same site as formerly was presented to the commissioners; this petition was much more numerously signed than the petition asking for a union station.

The evidence disclosed the fact that a contract between the two lines of railroad, now in force, provides that the Rutland railroad company may use the main line of the Central Vermont railroad company to secure access to the depot, if it desires to do so.

The location proposed by the Rutland railroad company for a union station between the two main lines of track offers so many dangers to the public in its approaches that the commissioners would not be justified in consenting to such a location. The station should be located so as to afford the largest and best accommodation to the people of Alburgh and vicinity who are patrons of it; while the transfer of through passengers may be greater than the number of local passengers taking the trains at this station, the fact remains that the people of Alburgh must very frequently go to the station for other purposes than to take a train and, all things considered, the commissioners believe that the use of the station by the people of Alburgh and vicinity is larger and more important than the use of the accommodations of transfer between the two roads. We see no way of obviating the dangers which must accrue to the public in the use of the proposed union station and we believe these dangers are greater than would result from the use of a station as a union depot located on or near the site of the one recently destroyed by fire.

The petition is therefore dismissed.

Dated at St. Albans this 13th day of January 1905.

FULLER C. SMITH.

H. S. BINGHAM,

GEORGE T. HOWARD,

Railroad Commissioners.

PETITION OF CITIZENS AND SELECTMEN OF WEST
RUTLAND.

Subject: Improvement of highway grade crossing.

Docket Entries:

August 24, 1904, petition filed; September 13, 1904, hearing called for September 21st, 1904; September 21st, 1904, hearing at West Rutland; June 5th, 1905, report and order issued.

Appearances: Harley G. Sheldon for petitioners; Selectmen for town of West Rutland; David Fox, Jr., for Rutland street railway company.

PETITION.

To the Honorable Railroad Commissioners of the State of Vermont:

The petition of the undersigned residents of the town of West Rutland, respectfully shows:

I. That the Rutland street railway company is a corporation organized and existing under and by virtue of the laws of the state of Vermont, and operates an electric road between the city of Rutland and the town of Fair Haven, Vermont, passing through the town of West Rutland. That the greater part of the road between Center Rutland and West Rutland village, the tracks are laid in the main highway, but for a portion of the distance it runs parallel to and adjoining the highway.

II. That at a point a mile or thereabouts from West Rutland village, at which point the said road runs parallel to and adjoining the main highway, it crosses at grade a branch of the highway leading from the main highway to a portion of the town of West Rutland, known as Boardman's Hill; this branch highway meeting the main highway nearly at right angles. That the tracks of the Rutland street railway cross the said branch highway near to and adjoining the main highway, the Clarendon & Pittsford railroad company's tracks cross the said branch highway a few feet south of the Rutland street railway and farther from the main highway and the Delaware & Hudson company's tracks cross the said branch highway a few feet south of the tracks of the Clarendon and Pittsford railroad, making three sets of tracks crossing the said branch highway at this point. This crossing is known as the Boardman Hill crossing.

III. That recently the said Rutland street railway company

has raised its tracks, thereby making a considerable elevation in the said highway.

IV. That by reason of such raising of said tracks of the Rutland street railway, travellers upon the highway are much inconvenienced, and the raising of said tracks makes the crossing more than ordinarily dangerous, and such condition is a menace to the safety of travelers upon the highway, and the public safety requires an alteration to be made in the tracks or highway.

V. The superintendent of the street railway company has been requested to take steps to remove the danger, but declines to do anything.

VI. The selectmen of the town of West Rutland are George C. Robinson, James Leamy and Daniel O'Rourke, and the land owners adjoining the said highway are C. H. Boardman, Walter Thrall, H. G. Sheldon, James Reed, Patrick Kenney, Daniel Smith.

Wherefore, your petitioners pray that your honorable body will investigate the matter, order a hearing, and direct such alteration as the public safety requires.

Dated at West Rutland, August 6, 1904.

HARLEY G. SHELDON
and seventeen others.

REPORT AND ORDER.

The commissioners visited the location of the crossing accompanied by representatives of the Rutland street railway company and of the petitioners. It appeared that in 1891 the then board of railroad commissioners made an order establishing the grades of the highway and of the various railroad tracks. It appears from levels taken in November 1904 that the Rutland street railway track is about $3\frac{1}{2}$ inches higher than the grade established for it in 1891 and that the Clarendon & Pittsford railroad track is about 8 inches lower than it was when the order of 1891 had been complied with.

The distance between the nearest rails of the Rutland street railway and the Clarendon & Pittsford railroad is only 9.2 feet and in that distance the highway ascends 2.09 feet making a very steep grade. The commissioners find that this highway crossing is both inconvenient and dangerous for travelers upon the highway and that in order to make it safe the track of the Rutland street railway company should be lowered to the grade established for it

in 1891 and the track of the Clarendon & Pittsford railroad company should also be restored to its location at that time.

It is therefore ordered that the Rutland street railway company lower its track at the Boardman Hill crossing so that its center line will be $3\frac{1}{2}$ inches below its present grade; and that the said Rutland street railway company, after lowering its track as above mentioned, properly grade the approach to the said crossing on either side thereof so that teams may safely pass over said crossing. The expense of these changes to be borne by the Rutland street railway company.

It is further ordered that the Clarendon & Pittsford railroad company raise its track at the Boardman Hill crossing so that the center line thereof will be 8 inches above its present level; and that the said Clarendon & Pittsford railroad company grade the approach to the said crossing on either side of its track so that teams may easily and safely pass over the said crossing. The expense thereof to be borne by the Clarendon & Pittsford railroad company.

This order to be complied with by the said Rutland street railway company and by the Clarendon & Pittsford railroad company or or before July 15th, 1905.

Done at St. Albans this 5th day of June, 1905.

FULLER C. SMITH,
H. S. BINGHAM,
GEORGE T. HOWARD,
Railroad Commissioners.

PETITION OF THE CENTRAL VERMONT RAILWAY COMPANY.

Subject: Constructing railroad across highways at grade in Bethel and Royalton.

Docket Entries:

September 15th, 1904, petition filed; October 13th, 1904, examination of location; April 13th, 1905, second examination of location; June 7th, 1905, report and decision.

The Central Vermont railway company, by its attorney, C. W. Witters, made application for permission to construct a branch line, known as the Bethel Granite railway, across certain highways in the towns of Bethel and Royalton. This application was

referred to the selectmen of said towns and upon two occasions the commissioners went over the line of road and examined the proposed highway grade crossings, in company with the selectmen and with representatives of the Central Vermont railway company. No evidence was taken and the facts appear in the report which follows.

REPORT AND DECISION.

Pursuant to reasonable notice the commissioners examined the location of the crossings in the town of Bethel and met the selectmen of said town of Bethel and representatives of the Central Vermont railway company on the 13th day of October, 1904, and examined the location of the crossing in the town of Royalton and met the selectmen of said town of Royalton and the representatives of the Central Vermont railway company on April 18th, 1905.

The Central Vermont railway company proposes to construct a branch line from a point near its station at Bethel to the granite quarries in said town of Bethel, a distance of about five miles, and to operate said branch for the purpose of transporting the product of said quarries to the finishing shops located near the village of Bethel. From said examination and inspection and from the facts developed at the hearing the commissioners are satisfied that the crossings of said branch railway over said highway in the towns of Bethel and Royalton may safely be constructed at grade.

It is therefore ordered that said Central Vermont railway company may construct its said branch line of railway at grade across the Robert Noble road, so called, in said town of Bethel, the center line of said railway at said crossing to be 24.75 feet southerly of the southerly limit of the highway leading from Bethel to Royalton.

It is further ordered that said Central Vermont railway company may construct its branch railway at grade across the highway leading from Bethel to Royalton at a point nearly opposite the buildings of F. B. Southworth where the intersection of the center line of said railroad track with the southerly limit of the highway is 844.5 feet distant from the easterly line of the so-called Robert Noble road where the easterly line of said Robert Noble road joins the southerly line of the highway from Bethel to Royalton, said intersection being at station 41 + 64 of the survey and lo-

cation of said railway filed in the town clerk's office in the town of Royalton; thence across said highway diagonally on a curve to the left of one and one half degrees a distance of 236 feet to the northerly line of said highway at station 44 of said survey and location so that the center line of said railway will intersect the northerly line of said highway a distance of 236 feet from the point where said center line of said railway intersects the southerly line of said highway. Reference is hereby made to the location filed by said railway company in the town clerk's office of said town of Royalton for a more particular representation and description of said crossing.

It is further ordered that said Central Vermont railway company may construct its branch railway at grade across the highway known as the "East Bethel road" in the town of Bethel at a point approximately 500 feet from the farm buildings of J. D. Wheeler; the center line of said railway to intersect the southeasterly limit of said highway at station 163+62 of the plan of location and survey filed by said railway company in the office of the clerk of said town of Bethel, said center line thence continuing across said highway on a curve of eight degrees to the right, a distance of 38 feet, to station 164 of said plan of location and survey, thence continuing across said highway on a tangent line bearing north 28 degrees 26 minutes west eleven feet to station 164+11 of said plan of location and survey.

It is further ordered that said Central Vermont railway company may construct its branch railway at grade across the quarry road, so called, leading from the granite quarries to the village of Bethel at a point near the lands of J. D. Wheeler; the center line of said railway to intersect the southerly line of said highway at about station 220+88.5 and thence continuing in a northerly direction across the westerly portion of said highway on a line bearing north 13 degrees 58 minutes east, a distance of 249.62 feet, to a point at or about station 223+38.12, thence continuing on a curve of about eight degrees to the right, a distance of 116.38 feet, to a point at or about station 224+54.5 where said center line intersects the westerly line of said highway, said stations, the limits of said highway and the courses of the center line of said railway being shown on the plan of location and survey of said railway filed in the town clerk's office of said town of Bethel, to which plan and survey reference is hereby made.

It is further ordered that said Central Vermont railway company may construct its branch railway at grade across the quarry

road, so called, leading from the granite quarries to the village of Bethel at a point between the lands of Mrs. Lucy Benedict and the lands of H. Davis; the center line of said railway to intersect the westerly limit of said highway at station 228+25 and continuing across said highway on a line bearing north 21 degrees 48 minutes east, a distance of 129.5 feet, to where said center line will intersect the easterly limit of said highway at station 229+54.5 as shown on the plan of location and survey filed in the office of the clerk of the town of Bethel, reference to which is hereby made.

It is further ordered that said Central Vermont railway company may construct its branch railway at grade across the quarry road, so-called, at a point near the lands of H. Davis where the center line of said railway intersects the southerly or southwesterly limit of said highway at station 206+62, thence continuing across a part of said highway for a distance of 38 feet on a curve of 5 degrees to the left to station 207; thence continuing across the remainder of said highway a distance of 20 feet on a curve of 10 degrees to the left to station 207+20; said stations, the center lines of said railway and the limits of said highway being shown upon a plan of location and survey filed in the office of the clerk of the town of Bethel, reference to which is hereby made.

And it is further ordered that in the construction of said highway crossings at grade the Central Vermont railway company shall so construct and grade the approaches to said crossings and said crossings as to make them safe, convenient and easy of access to the travelling public, and shall bear the necessary expense thereof, and that said crossings and the approaches thereto shall be constructed in such a manner as shall meet the approval of the railroad commissioners of the state of Vermont.

Done at St. Albans, Vt., this 7th day of June 1905.

FULLER C. SMITH,
H. S. BINGHAM,
GEORGE T. HOWARD,
Railroad Commissioners.

PETITION OF CENTRAL VERMONT RAILWAY COMPANY.

Subject: Interlocking derailing plant at St. Albans.

Docket Entries;

November 12th, 1904, petition filed; November 12th, 1904, hearing called at St. Albans for November 16th, 1904.

This was a petition from the Central Vermont railway company representing that the St. Albans street railway company had failed to pay to the petitioner its proportion of the expense of the operation and maintenance of a derailing plant which was installed across the tracks of the petitioner by order of the board of railroad commissioners under date of March 8th, 1901, and praying that an order should issue from this commission discontinuing the permit to said St. Albans street railway to cross the tracks of the petitioner as provided in said order.

Before the hearing upon the petition an amicable adjustment of the differences between the two companies was effected and the petition was withdrawn.

PETITION OF CITIZENS OF FAIR HAVEN.

Subject: Additional station facilities.

Docket Entries;

June 12th, 1905, petition filed; October 30th, 1905, notice for hearing for November 2nd, 1905; hearing continued to November 10th, 1905; November 10th, 1905, hearing on petition at Fair Haven.

The appearances are noted in the report and order.

PETITION.

To the Board of Railroad Commissioners:

We the undersigned, residents of Fair Haven, Vermont, respectfully call the attention of your honorable board to the conditions prevailing at the railway station of the Delaware & Hudson company in said Fair Haven, and request that some action be taken leading to the establishment of a separate station for the accommodation of passengers.

THE REED COAL COMPANY,
and forty-seven others.

REPORT AND ORDER.

The petition was signed by the Reed coal company and forty-six others, business men and residents of Fair Haven. Hearing upon the petition was held at Fair Haven November 10th, 1905. E. D. Raymond, W. H. Preston and J. C. Durick appeared for the petitioners and Lewis Carr for the Delaware & Hudson Company.

The evidence of numerous business men of Fair Haven was submitted by the petitioners to establish the fact that the accommodations for the receipt and shipment of freight at and from the present station are inadequate and that these conditions arise mainly because the freight and passenger stations are located in the same building. It was claimed that the building was too small; that much of the freight cannot be unloaded from the cars into that portion of the building devoted to local freight because of its congested condition; that considerable local freight is often deposited upon the platform where passengers are obliged to alight from trains and who have to make their way through it to the passenger end of the station; that when local freight is taken from the cars by the consignees the facilities for unloading the same are insufficient and inadequate and that much other freight, consigned to other persons, must be handled over in order to get at what is wanted; that access to both passenger and freight sections of the station is frequently impeded by teams and that a portion of the freight department of the station is often occupied by the trunks and other baggage received at and transported from Fair Haven; and that the Delaware & Hudson company does not employ sufficient help at the station to properly care for the business and wait upon the patrons of the road.

The testimony of witnesses introduced by the petitioners tended to show that the business at this station is increasing from year to year and that a considerable amount of freight is received at Fair Haven destined to other towns and villages within a radius of ten miles and whose business is tributary to Fair Haven station.

A location convenient for a freight depot was pointed out to the commissioners to the east of the present station and upon land now owned by the Delaware & Hudson company; it was claimed by the company that it was proposed to locate upon this land loading and unloading tracks for the accommodation of the people of Fair Haven and that by an extension of the freight end of the present depot to the west good facilities for the handling of freight would be afforded.

From all the evidence introduced by the petitioners, and which was uncontradicted, the commissioners find that the present means of receiving and shipping local freight at Fair Haven are inadequate and do not reasonably accommodate the business interests of this important community. The freight and passenger stations should be separate and the facilities for the discharging of passengers from passenger trains should be improved. Additional help should be employed to properly attend and care for the business offered the company by the patrons of this station. It is doubtless true that additional loading and unloading tracks are necessary, but the paramount need now is additional room for freight and the opportunity of unloading it into a depot for delivery to consignees.

This conclusion is further warranted by the fact, ascertained from the Delaware & Hudson company, that in the six years from 1898 to 1904 the tonnage of freight forwarded from Fair Haven station has increased from 6,385 tons in 1898 to 7,606 tons in 1904, an increase of nearly 20 per cent.

The tonnage received in 1898 amounted to 6,113 tons and in 1904 it was 9,014 tons, an increase of over 47 per cent. So that it is clear that the business of the railroad at Fair Haven is increasing from year to year and as a natural and inevitable result better facilities must be afforded for handling the increased traffic. We conclude that it is not unreasonable to ask the Delaware & Hudson company to meet these improved conditions by building a new freight depot and improving the arrangements at the present passenger station.

It is therefore ordered that the Delaware & Hudson company build and place in service on its land located east of its present station and east of Allen's slate works a freight depot of sufficient size to afford ample accommodations for the receipt and shipment and handling of freight to all the patrons of Fair Haven station and of sufficient capacity to properly accommodate the natural increase of the business in the future.

It is ordered that the Delaware & Hudson company complete this new freight depot, lay the necessary tracks and open it for use on or before the 1st day of July 1906.

It is further ordered that on or before the 1st day of July 1906, or upon the completion of the new freight depot, the Delaware & Hudson company discontinue the use of the west end of the present station as a freight station, lower the platform on the

south side thereof to the level of the platform in front of the present passenger waiting rooms, widen the platform on the east end of the present building at least two feet, providing this can be done without encroaching upon the limits of the highway, and extend the platform on the north side of the present station at least twenty feet, widen the same at least three feet and build over the platform on the north side an umbrella roof or shelter extending the entire length of the platform. During the hearing upon the petition it came to the notice of the commissioners that the agent at Fair Haven keeps one or more of the doors on the north side of the station locked during the winter season and that accumulations of snow and ice from the depot roof impede access to the platform on the north side. The railroad management is requested to see that in the future the doors be kept unlocked during the hours when the agent is on duty and that the platforms be properly cleared of snow and ice.

Done at St. Albans this 15th day of December 1905.

FULLER C. SMITH,

H. S. BINGHAM,

Railroad Commissioners.

PETITION OF CITIZENS OF ROCKINGHAM.

Subject: Additional station facilities.

Docket Entries:

January 23rd, 1906, petition filed; January 26th, 1906, notice of hearing for February 1st, 1906 at Bartonville; February 1st and February 14th, 1906 hearings at Bartonville and Bellows Falls; March 8th, 1906 report and order issued; April 21st 1906, notice of appeal by Rutland railroad company to the supreme court filed.

The appearances are noted in the report and order.

PETITION.

To the Railroad Commissioners of Vermont:

We, the undersigned, residents and tax-payers in the town of Rockingham, county of Windham and state of Vermont, respectfully represent to your honorable board that there is need of a railroad station on the Rutland railroad at Bartonville in said Rockingham; that the only accommodation for passengers wishing to take the train at that point is an old dismantled box car,

unheated and unlighted; that there is no accommodation for storage and protection of freight received at or sent from said point; that the facilities for a considerable business are entirely inadequate and insufficient:

Therefore, we respectfully request that the Rutland railroad be directed to establish and maintain a good and sufficient station and station house for the proper accommodation of business at said Bartonsville, and that such other action in the premises be taken as is appropriate under Sec. 3989 et seq. of the Vermont statutes as amended.

C. W. PARKER

and twenty others.

REPORT AND ORDER.

Pursuant to reasonable notice to the petitioners and to the Rutland railroad company the commissioners met at Bartonville on the 2nd day of February, 1906, and at Bellows Falls on the 14th day of February, 1906. H. D. Ryder appeared for the petitioners and P. M. Meldon for the Rutland railroad company.

The evidence showed that previous to 1903 the Rutland railroad company had for many years maintained a railroad depot at Bartonville suitable for the accommodation of both freight and passengers; that sometime during the year 1903 this station was destroyed by fire and that since that time an old dismantled box car has been the only accommodation afforded the patrons of the railroad at that point and no agent representing the company has been employed. Bartonville is located about four miles south of Chester and ten or eleven miles north of Bellows Falls; it is a small community containing about fifty families. The Rutland railroad company, since the discontinuance of the station and agent at Bartonville, has permitted any person desiring to board any of the local trains passing that point to flag and stop the train for that purpose but has charged the usual additional fare to those not holding a ticket. No facilities for the storage and care of freight or express matter have been afforded and the people of that vicinity have suffered considerable inconvenience therefrom. There are two other points between Bartonville and Bellows Falls, Brockways and Rockingham, where the Rutland railroad company stop its local trains upon a flag but where no agent is employed to attend to the business of the company.

The petitionee introduced evidence tending to show that the

passenger and freight business at Bartonsville during any year is not sufficient to pay the cost of maintaining a depot and agent and that the Rutland railroad company would suffer a loss if compelled to do so. The records of the petitionee showed that during the six months from July 1st, 1905, to January 1, 1906, about twenty-five net tons of freight were received at Bartonsville station and about eighty tons were forwarded during the same time. Two lumber firms shipped during the year 1905 nine full cars of lumber. The evidence relating to the passenger traffic was conflicting, but cash fares were collected from more than three hundred passengers boarding the trains at Bartonsville and Brockways during 1905; there should be added to this the passengers buying tickets at other stations to Bartonsville and those passengers traveling upon mileage books.

The commissioners believe that the people of that section of the town of Rockingham who would be served by a station at Bartonsville are entitled to reasonable railroad accommodations; that if the Rutland railroad company is willing to stop its passenger and freight trains in order to secure such business as exists at that point it ought at the same time to furnish such facilities as are reasonably sure to properly care for that business. Not every railroad station in Vermont returns to the company maintaining it a revenue equivalent to its cost of operation, but the convenience of the public is an element to be considered in the matter of the establishment of railroad depots. The commissioners do not think that the people of the town of Rockingham and of those portions of Chester, Grafton and Springfield which are contiguous to the northwest corner of the town of Rockingham, are reasonably accommodated by a train service which affords no station with an agent between Chester and Bellows Falls, a distance of nearly fifteen miles. The Rutland railroad company can, at an inconsiderable expense, build a suitable station, keep it warm and furnish an agent to care for its business at Bartonsville. The present facilities there are inadequate in every respect.

It is therefore ordered that the Rutland railroad company build and erect a depot upon its line at Bartonsville suitable and adequate for the use and convenience of the patrons of the road at that point and complete the same ready for occupancy on or before the 15th day of June, 1906, and that when the same is completed said Rutland railroad company shall employ an agent at

said Bartonsville to transact the business of the company at that point.

Done at Montpelier, Vt., this 8th day of March, 1906.

FULLER C. SMITH,

H. S. BINGHAM,

GEORGE T. HOWARD,

Railroad Commissioners.

This case now stands upon appeal by the Rutland railroad company and is for hearing before the supreme court of the state of Vermont at its next stated term on the fourth Tuesday in October, 1906.

PETITION OF CITIZENS OF RUTLAND.

Subject: Protection of grade crossings in the city of Rutland.

Docket Entries:

November 28th, 1905, petition No. 1 filed; November 28th, 1905, petition No. 2 filed; November 29th, 1905, notice of hearing for December 5th at Rutland; hearing continued to January 11th, 1906; January 11th, 1906, and February 2nd, 1906, hearings at Rutland; April 18th, 1906 report and order issued.

Appearances are noted in the report and order.

PETITION NO. 1.

To F. C. Smith, H. S. Bingham and G. T. Howard, Railroad Commissioners of the State of Vermont:

Whereas, the railroad crossings at South Main street, known as the "fair ground crossing", and at the northwest corner of the fair ground, known as the "Park street crossing", as well as the "West street crossing", so called, and the "Chaffee crossing", so called, in the city of Rutland, are extremely dangerous to people, horses, wagons, teams, automobiles which are compelled to frequently pass and re-pass over the same; and

Whereas, the number and speed of trains operated by the several railroads over said crossings are constantly increasing, and the traffic upon the highway is also increasing, and said cross-

ings have become exceedingly unsafe and dangerous, we feel it necessary that the public be protected against such danger.

Now, therefore, we, the undersigned, citizens of Rutland and vicinity who have occasion to pass and re-pass said crossings frequently with teams, automobiles and vehicles, respectfully request your honorable board to compel the several steam railroads operating trains over said crossings to provide and establish gates in such a manner as shall protect people, teams and automobiles from accident while passing along the highway at the place aforesaid.

J. E. CREED

and 39 others.

PETITION NO. 2.

To F. C. Smith, H. S. Bingham and G. T. Howard, Railroad Commissioners of the State of Vermont:

Whereas, the railroad crossings at South Main street, known as the "fair ground crossing", and at the northwest corner of the fair ground, known as the "Park street crossing", as well as the "West street crossing" so called, and the "Chaffee crossing," so called, in the city of Rutland, are extremely dangerous to people, horses, wagons, teams, automobiles which are compelled to frequently pass and re-pass over the same; and

-Whereas, the number and speed of trains operated by the several railroads over said crossings are constantly increasing, and the traffic upon the highway is also increasing and said crossings have become exceedingly unsafe and dangerous, we feel it necessary that the public be protected against such danger.

Now, therefore, we, the undersigned, citizens of Rutland and vicinity who have occasion to pass and re-pass said crossings frequently with teams, automobiles and vehicles, respectfully request your honorable board to compel the several steam railroads operating trains over said crossings to provide and establish gates, flagmen or electric signals in such a manner as shall protect people, teams and automobiles from accident while passing along the highway at the place aforesaid.

CHARLES E. PAIGE,

and thirty-eight others.

On January 20th, 1906, the Rutland railroad company, by George T. Jarvis, general manager, filed its petition requesting

that the Rutland street railway company and the city of Rutland be summoned to appear and to be made parties to this proceeding. Thereupon notice was given to said Rutland street railway company and to the city of Rutland and a further hearing was held upon both petitions on February 2nd, 1906 at Rutland. At that hearing the Rutland street railway was represented by F. M. Butler and the city of Rutland by George E. Lawrence, city attorney.

REPORT AND ORDER.

After notice to the Rutland railroad company and the Delaware & Hudson company, hearings upon the petitions were held at Rutland on the 11th day of January, 1906, and on the 2nd day of February, 1906. E. H. O'Brien and F. M. Butler appeared for the petitioners. H. H. Powers and P. M. Meldon for the Rutland railroad company. At the hearing on February 2nd, 1906, F. A. Martin appeared for the Delaware & Hudson company.

Two petitions were submitted by the petitioners, both setting forth in substance that the highway grade crossings at South Main street, known as the fair ground crossing, at the northwest corner of the fair grounds, known as the Park street crossing, the West street crossing, so called, and the Chaffee crossing, so called, near the Temple Brothers' mill, all in the city of Rutland, are extremely dangerous to the public. One of the petitions prayed for an order of this commission directing the petitionees to establish gates at said crossings, and the other for an order to provide and establish gates, flagmen or electric signals at said crossings for the protection of the public passing over them. These petitions are founded upon Sec. 3,851 V. S. On January 20th, 1906, the Rutland railroad company, by its general manager George T. Jarvis, brought its petition to this commission representing that the Rutland street railway company operates a line of trolley cars over two of said crossings and is directly interested in the subject matter of these petitions, and praying that said Rutland street railway company and said city of Rutland be summoned to appear and make answer to said petitions and show cause, if any they have, why any order made in the premises should not be directed to them.

Thereupon said Rutland street railway company and said city of Rutland were served with a copy of said petition of the Rutland railroad company and on the 2nd day of February, 1906

the Rutland street railway company appeared by F. M. Butler its attorney and the city of Rutland by George E. Lawrence, city attorney.

The evidence showed that more than three of the petitioners are freeholders within said city of Rutland; that the Main street crossing, known as the fair ground crossing, is one over which a very large traffic passes every day and especially at times when any public entertainment is being held at the fair grounds, this crossing being located very near the entrance thereto; that the view at the Park street crossing is obstructed by a high board fence upon the southerly side of Park street and often by freight cars standing upon side tracks on either side of the main line of the Rutland railroad company at the north and south of said crossing; that the West street crossing is over the tracks of both the Rutland railroad company and the Delaware & Hudson company and is now and for several years has been protected by a flagman; that the Chaffee crossing near the Temple Brothers' mill, and hereinafter called the Temple crossing, is over the tracks of both the Rutland railroad company and the Delaware & Hudson company and that the view of the tracks is obstructed on the easterly side by buildings which have been erected upon the railroad right of way.

The evidence also showed that the Main street crossing and the Park street crossing are also used by the Rutland street railway; that the trains of the Rutland railroad company entering Rutland from the south pass over these crossings at a rate of speed often exceeding forty miles per hour and that trains leaving Rutland for the south also run over these crossings at a high rate of speed; that between these two crossings on Park street is located a school house which is largely for the accommodation of small children, many of whom are obliged to pass over one or the other of these crossings on their way to and from school.

It was urged upon the part of the Rutland railroad company that the Main street crossing is not now a dangerous crossing requiring protection to the public upon the highway and that if the high board fence near the Park street crossing is removed and cars are not permitted to stand upon the side tracks near the limits of the highway the Park street crossing will not then be a dangerous crossing requiring any special protection. It was further insisted by the Rutland railroad company that the West street crossing is now properly and adequately protected by a

flagman located there and that proper protection at the Temple crossing is to be secured by means of an over-pass carrying the street, instead of gates or a flagman. It was also urged by the Rutland railroad company that the petitions were not brought in good faith and that the Rutland street railway company was in fact responsible for the petitions, its interest being to protect the patrons of its cars while passing over these crossings. The Rutland railroad company further claimed that the Rutland street railway company and the city of Rutland being interested in any protection afforded at these crossings and benefitting by such protection ought to be required to contribute to the cost and maintenance thereof and that such cost and maintenance should be apportioned by the commission between the steam railroads, the street railway and the city.

The first question to be determined is the need of additional protection and safeguards at these crossings. If they are sufficiently safe now, then the petitions should be dismissed and the other issues in the case need not be determined. The status of the Rutland street railway and its interest in the questions under consideration is fixed later in this report; it is unnecessary to discuss the good faith of the petition here. The evidence showed that at the Main street crossing during an ordinary day more than 1,000 persons passed over the crossing on foot and in vehicles of one kind or another not counting the passengers and crews aboard the electric cars, and these between the hours of seven o'clock in the forenoon and five o'clock in the afternoon; during the same time thirty-one electric cars passed over this crossing. And that during the period of one month more than 500 trains under orders passed over this crossing and more than 400 over the Park street crossing. The crossing at Main street and the one at Park street are both located inside the yard limits of the railroad and some switching movements, not included in the count, pass over them every day. The traffic passing over the Park street crossing by the highway is somewhat less than that over the Main street crossing, but it includes many children of small age in attendance upon the school above mentioned. The proposition of the Rutland railroad company to remove the close board fence for a distance of 165 feet or more each way from the corner and to prohibit the leaving of cars standing near the limits of the highway and within 150 feet or more therefrom, will materially lessen the danger at this crossing and open the view to an approaching traveler.

The contention upon the part of the Rutland railroad company that these crossings named in the petition are not dangerous, except in the general sense that all grade crossings are dangerous, is untenable from every point of view. And the further claim that if any protection is to be required that it is preferable to wait until the railroad company and the municipality can join in carrying the streets over or under these crossings is equally indefensible. The commissioners are clearly of the opinion that these crossings present, in their present condition, all the elements of dangerous crossings; they are located in a densely populated community and are used by a very large traffic; trains pass over them at a very high rate of speed and the view of a traveler approaching them is obstructed to a large extent by buildings, the foliage of trees, by fences and by freight cars. The location of the fair grounds and the entrance thereto is such as adds very materially to the dangerous character of two of these crossings; and in addition thereto is the danger which constantly attends the passage of electric cars over them. This danger is one that this commission has heretofore endeavored to lessen by the installation of electric signals which would afford reasonable protection to electric cars, but all of these efforts have met with protest and opposition from the Rutland railroad company. Taken altogether these elements of danger make these crossings especially hazardous. The Main street, Park street and Temple crossings are distinctly more dangerous than the West street crossing, as was testified to by several witnesses, and at the latter crossing the Rutland railroad company, upon its own initiative, has for many years kept a flagman to protect the public. At the Temple crossing there are two main line tracks, one used for the trains of the Rutland railroad company and the other used by the Delaware & Hudson company; in addition there is a side track. Trains pass over this crossing at a rapid rate of speed and the view of the tracks is obstructed by buildings upon the railroad right of way. It is practicable to carry the highway over the tracks by an overpass but no order for an overpass can be made upon this petition. The claim urged by the Rutland railroad company that for thirty years only one person has actually been injured at the Main street crossing does not in any sense establish the safety of this crossing, even if true. The character of a grade crossing over a railroad is to be determined by the view afforded of the railroad tracks from the highway as a traveler

approaches the crossing, the number and speed of trains passing over it and the density of the travel upon the highway. The duty of the railroad company to put into use any necessary protection is not to be omitted until some person or persons are killed or seriously injured at such a crossing. The public is not called upon to contribute any certain number of victims before the burden of protection can reasonably be imposed upon the railroad company. And we take it that it is the express design of the petitioners to secure protection before the community is shocked by a horrible accident due to the dangers to which the public is exposed at these crossings. The danger at these crossings is constant and is primarily caused by the operation of steam trains over them. It is a principle universally recognized, and not applicable alone to railroad companies, that the care to be exercised in any business, no matter what its kind or nature, must be in direct proportion to its dangerous character. The supreme court of this state in *Thorpe vs. The Rutland & Burlington railroad company*, 27th Vt., 144, said that "if the business of railways is specially dangerous, they may be required to bear the expense of erecting such safeguards as will render it ordinarily safe to others, as is often required of natural persons under such circumstances." This was an action on the case brought to recover damages for sheep of the plaintiff killed by one of defendant's locomotives, where the sheep had escaped in consequence of there not being a cattle guard at a farm crossing. The railroad company contended that it was not bound to maintain the cattle guard although an act of the legislature required it so to do, because the defendant's charter was a contract that could not be impaired by subsequent legislation. The court held that the defendant could be compelled to maintain such safety devices by the exercise of the police power of the state. If the legislative authority has the power to prescribe safeguards for the protection of sheep it must have power to prescribe safeguards for the protection of the people; and if it has power to prescribe such safeguards it must have power to compel railroad companies to erect and maintain them. Human life cannot be measured by dollars and cents and railroad commissions would very far fail in their duty to the public if they observed the necessity of such safeguards and failed to require them of the corporation creating the danger.

The commissioners find that the Main street crossing, the Park street crossing and the Temple crossing are dangerous crossings and that they require for the reasonable protection of the

public upon the highways such safety appliances or safeguards as will efficiently protect the public from danger. The expense of this protection must be borne by the steam railroads. The rule is well settled that the use of streets or highways by street railways, whatever the motive power, except steam, is one of the ordinary uses for which highways are constructed and the operation of an electric or street railway over such highway is not an imposition of a new and additional burden or servitude upon such highway. When land is taken for a way it is for a public easement, and while used for a highway the public has entire and absolute control of it; and the public, by its properly constituted authorities, may regulate or extend the public use, within the scope of the easement, in whatever manner it pleases. In this case the legislature has granted to the Rutland street railway company the right to build its track in the highways and operate its cars thereon and over the tracks of the Rutland railroad company. The operation of a street railway is a quasi-public use and one appropriate to the easement or servitude in the highway which the public owns and controls. It is also the settled rule that steam railroad companies shall so construct and use a crossing at a grade over a highway as not to defeat the objects and purposes for which the highway was originally created or impair its usefulness. A railroad company may not block a highway crossing with its trains or cars for any length of time if a person using the highway demands a passage. They must also construct cattle guards, erect signs, plank the road bed, grade the approaches, blow a whistle or ring a bell at every approach of a train and be at the entire expense of maintaining these conveniences and safeguards so long as the railroad continues to cross the highway. In other words, the railroad company is burdened with the duty of protecting in every reasonable way the safe passage of travelers seeking to cross its track upon the highway. This is because the right to cross by the steam railroad is subject to the public easement and because the use of the railroad track is of such a character that the traveler cannot protect himself from the superior danger.

Elliott vs. Fair Haven R. R. Co., 32 Conn., 579.

Briggs vs. Lewiston R. R., 79 Me., 363.

Taylor vs. Portsmouth St. Ry., 91 Me., 193.

Millbridge Elec. Ry., Appellants, 96 Me., 110.

Atty-General vs. Met. St. Ry., 126 Mass. 515.

Taggart vs. Newport St. Ry., 16 R. I., 668.

Williams vs. Ry. Co., 41 Fed. Rep., 556.

Commonwealth vs. Temple, 14 Gray, 69.

Rafferty vs. Gen. Trac. Co., 147 Pa. St., 579.

Street Ry. Co., vs. Limburger, 88 Tex., 79.

In *Central Passenger R. R. Co. vs. Philadelphia, etc. R. R. Co.*, 95 Md. 428, it was held that a street railway which crosses the pre-existing tracks of another street railway or of another ordinary railroad is bound to construct the crossing and special work at its own expense and to maintain the crossing in a proper state of repair. But this case reaffirms the doctrine laid down in *Baltimore City vs. Cowen*, 88 Md., 447, that "cattle guards, crossing gates, the maintenance of flagmen, ringing of bells and other things ordinarily required at railroad crossings, especially in populous communities, are matters pertaining to the public safety and are within the police power of the state; and when the duty to construct them has been imposed upon the railroad company by statute no compensation for erecting or maintaining them can be recovered." The same doctrine is again laid down in *Chicago, Milwaukee, & St. Paul R. R. Co. vs. The City of Milwaukee*. In discussing this case Marshall, J., says: "The correct policy is that held by the courts of New York, Illinois and Iowa that the probable results of a failure of duty respecting the safety of railroad crossings are so serious that the public interests require that such duty be lodged in some one place, undivided, absolute and with certainty, and that such place be the one where, in the estimation of legislative authority, it can be most readily and efficiently performed. These considerations are abundantly sufficient, judicially considered, to legitimately locate the whole subject of maintaining safe crossings within the domain of police regulations."

Chicago, Mil. & St. P. R. R. Co. vs. City of Milwaukee,
97 Wis., 418.

Upon its police power, a state or municipality may require a railroad company to maintain gates or flagmen at highway crossings. They are always subject to legislative control in all respects necessary to protect the public against danger and the

exercise of this control may be through boards or commissioners.

Elliott on Railways, Vol. 3, p. 1677.

N. Y. & N. E. R. R. Co., vs. Bristol, 151 U. S., 556.

The burden of erecting and maintaining gates, flagmen or electric bells contemplated in the exercise of the police power of the state is fixed by statute in this state upon the steam railroad operating its trains over these crossings by section 3,851 V. S. No part of that expense can be apportioned either to the Rutland street railway or to the city of Rutland.

In respect to the Temple crossing, so called, the commissioners are of the opinion that an overpass ought to be built. The location of this crossing and the conditions which surround it are such that an overpass carrying the highway can be constructed at a reasonable expense and to this both the railroad companies interested and the city of Rutland should rightfully contribute. No order for an overpass can be made upon these petitions and the commissioners do not feel that it would be proper to order the installation of gates at this crossing if an overpass can be erected within any reasonable time. In the event that neither the railroad companies nor the city of Rutland moves for the construction of an overpass the commissioners will consider it to be their duty to take such action as will result in the elimination of this grade crossing during the present season.

In respect of the South Main street and Park street crossings the grade of the street is such that an overpass or an underpass cannot be built without entailing a very large expense both for construction and for damage to abutting property owners, an expense that the commissioners conclude will be altogether incommensurate with the benefits to be derived therefrom.

It is therefore ordered that the Rutland railroad company establish and install at the South Main street crossing, so called, in the city of Rutland a set of gates across said highway on either side of the track of said railroad company and shall maintain and operate the same at its own expense. Said gates shall be four in number, two upon either side of the highway, with arms of sufficient length to extend each to the center line of said highway; they shall be erected upon the land of said Rutland railroad company and without the limits of the highway, and if a tower or gate house shall be used in the operation of said gates, said tower or gate house shall be erected upon the land of said Rutland rail-

road company and to the northerly of said crossing. And said gates shall be installed and placed in operation to the satisfaction of this commission on or before the 1st day of July 1906.

It is further ordered that said Rutland railroad company operate said gates for the protection of the public using said highway and for the protection of all traffic, including electric cars, over said crossing from the hour of 6:30 o'clock in the morning to the hour of 10 o'clock in the evening every day in the year.

It is further ordered that the Rutland railroad company on and after May 1st 1906 locate and employ a flagman at the Park street crossing, so called, in the city of Rutland, said flagman to warn all traffic, including electric cars, upon the highway passing over said Park street crossing of the approach of all trains and to be in the discharge of his duties at said crossing between the hours of 7:30 o'clock in the morning and 7:30 o'clock in the evening of every day in the year, the expense of said flagman to be borne by the Rutland railroad company.

A flagman being now employed at the West street crossing it is considered that no additional protection is necessary at that point.

Done at Burlington on the 18th day of April, 1906.

FULLER C. SMITH,
H. S. BINGHAM,
GEORGE T. HOWARD,
Railroad Commissioners.

PETITION OF CITIZENS OF CAVENDISH.

Subject: Protection of highway grade crossing.

Docket Entries;

November 12th, 1904, petition filed; November 14th, 1904, hearing called at Proctorsville for November 18th, 1904; hearing continued to November 25th, 1904; January 24th, 1905, order issued in report and opinion upon accident to A. Johnson.

PETITION.

To Messrs. Smith, Bingham and Howard, Railroad Commissioners of the State of Vermont:

GENTLEMEN:—

We, the undersigned, free holders of this town, in view of

the several accidents which have occurred at the Water street railroad crossing in this village, (two of which have proved fatal), would respectfully request your honorable body to investigate the conditions and surroundings of said crossing, with view of establishing a gate, or some other form of protection for people using this highway.

It is hoped that you will be able to make this examination at an early day.

Proctorsville, Vt., November 2, 1904.

DON C. POLLARD	} Selectmen
A. R. LOCKWOOD	
E. L. BROWN	
	} Town of
	} Cavendish.
	and four others.

In this case the commissioners ordered the installation of an electric bell signal at the crossing in question, which order is incorporated in the report upon the investigation of the accident to A. Johnson which appears in the chapter upon accidents in this volume and to which reference is made. The order was complied with.

PETITION OF CITIZENS OF RANDOLPH.

Subject: Protection of highway grade crossing.

Docket Entries:

December 23rd, 1904, petition filed; January 25th, 1905, request of petitioners that action on petition be postponed indefinitely filed.

PETITION.

To the Board of Railroad Commissioners of the State of Vermont:—

The undersigned, freeholders, residing in the village of Randolph, Vt., hereby represent that certain streets in said village, to wit, South Main street and South Pleasant street, cross the tracks of the Central Vermont railway at grade; that said crossings are unprotected and that public safety is endangered thereby. We, therefore, pursuant to the provisions of Sec. 3851 of Vermont statutes, request that gates or electric signals be erected

or flagmen stationed at said crossings for protection of the public.

Respectfully submitted this day of December, A. D. 1904.

A. E. Bass,

and twenty-one others.

On January 25th, 1905 the petitioners requested that no further action be taken upon the part of this commission relative to the petition because the Central Vermont railway company, petitionee, had given assurances that an electric bell signal would be installed at the crossing in question as soon as the weather would permit. A modern electric bell signal was afterwards installed at this crossing and is now in operation there to the satisfaction of the petitioners.

APPLICATION OF RUTLAND STREET RAILWAY COMPANY.

Subject: Modification of order relating to protection of railroad grade crossings:

Docket Entries:

October 14th, 1904, application filed; January 24th, 1905; hearing at Rutland; February 17th, 1905, report and order issued.

Appearances: Commissioners Bingham and Howard; F. C. Partridge for Clarendon & Pittsford railroad company; T. W. Moloney for Rutland street railway company.

APPLICATION.

The Rutland street railway company upon whom an order was made by your honorable board, dated September 20, 1904, requiring semaphore signals at all its crossings over the tracks of the Rutland railroad company and the Clarendon & Pittsford railroad company, feels aggrieved by this order in certain respects, in that it requires unnecessary trouble and expense at certain crossings of the Clarendon & Pittsford railroad company little used, requiring of the street railway company great and disproportionate expense and inconvenience as well as public inconvenience; and therefore, said company desires that the order be so changed and modified as to conform to the convenience and

necessities of the public without such disproportionate expense.

This company, therefore, requests that a further hearing be granted, and said order be modified as said commissioners have expressly reserved a right to do therein, and that some convenient time and place be fixed for such hearing.

Respectfully submitted,

RUTLAND STREET RAILWAY COMPANY

By Butler & Moloney,

Its Attorneys.

REPORT AND OPINION.

The Rutland street railway company asks to be relieved from installing an electric signal at the crossing of its tracks with those of the Clarendon & Pittsford railway company at what is known as the south belt crossings in the city of Rutland.

Inquiry established the fact that at this crossing scarcely more than one train per day is operated by the Clarendon & Pittsford railway company. This crossing is near the junction of the last named railway and the Rutland railroad and the Clarendon & Pittsford trains pass over it only for the purpose of delivering freight cars to the Rutland railroad and receiving them therefrom. The Clarendon & Pittsford railway is operated exclusively to transport marble, materials and supplies to and from its quarries and finishing mills. The south belt crossing so called, is located where a plain view of the track of the Clarendon & Pittsford company can be had for a distance of several hundred feet. Owing to the proximity of the junction point trains must be operated at that point under control.

The commissioners conclude that the installation of an electric signal at this point by the Rutland street railway company is not essential to secure safety to the patrons of the road and therefore decide that the order of September 5th, 1904 may be modified to the extent of eliminating this crossing from the requirements of the order.

Said Rutland street railway company also asks that the order of September 5th, 1904 be further modified in that the expense of erecting and installing and operating the electric signal at the Wells Hill crossing, so called, in the town of West Rutland, be placed upon the Clarendon & Pittsford railway company instead of upon the Rutland street railway company, and urges in justification of this that the Rutland street railway company was chartered and

built and operated as a horse street railway before the Clarendon & Pittsford railroad was chartered or built and that therefore the Rutland street railway company had the prior right of way at the point where they now intersect and cross each other.

The Rutland street railway was chartered in 1882 as a horse railway and was built in 1885 and operated as a horse railway until 1894 when it was equipped with electric power. The Clarendon & Pittsford railway company was chartered in 1885 and built in 1885 and since 1885 both roads have been operated across each other at grade at the Wells Hill crossing.

The Wells Hill crossing is within the limits of the highway and the Rutland street railway is built within the limits of the highway for the larger part of the distance between Rutland City and West Rutland. The Clarendon & Pittsford railroad has such an easement in the highway at that point as furnishes it the right to cross said highway and operate its trains over said highway. While doing so the ordinary and usual traffic on the highway at this point must cease.

The operation of electric cars upon a highway is, in this age, an ordinary use of a highway and in most of the states where the question has been raised it has been held by the court that where the construction of the street railway has been such as not to exclude other travel upon the highway and where the railway is operated in a manner to accommodate at all points the people living along its line, in such case it is not an additional burden or servitude upon the highway. In this view the Rutland street railway company would have precisely the same rights upon the highway at the Wells Hill crossing as every other means of carriage or locomotion possesses. As a public carrier of passengers for hire it must provide such safeguards as will insure the safety of its patrons, and one of these safeguards is to protect its cars from collision with the trains of a steam railroad having a right to use this crossing over the highway.

It is clear that the expense of such protection must fall upon the Rutland street railway company. This company has elected to use the highway upon which to operate its cars. The easement of the steam railroad is over the highway and carries with it the right to cross, but not to permanently obstruct, the highway as against the right of all other traffic. This is necessarily so from the very nature of the traffic of the steam railroad and the manner of conducting its business. It follows that all use of the highway by others must protect itself against disaster which might result

from the operation of the steam railroad over this crossing, provided always that the steam railroad company, in the operation of its trains over the crossing, complies with the provisions of its charter and the laws of the state.

It is not assumed that no power is vested in the commission whereby the burden of expense in securing this protection might not be divided. But the necessity of the protection is so clearly originated by the operation of the electric cars that the commissioners conclude that the expense ought to be borne by the Rutland street railway alone.

The application for a modification of the order of September 5th, 1904 by the Rutland street railway company so far as it relates to placing a portion or whole of the expense of erecting and operating electric signals at this crossing upon the Clarendon & Pittsford railway company is therefore denied.

Done at St. Albans, Vt., this 17th day of February 1905.

FULLER C. SMITH,

H. S. BINGHAM,

GEORGE T. HOWARD,

Railroad Commissioners.

PETITION OF CITIZENS OF BURLINGTON.

Subject: Abolishment of grade crossing.

Docket Entries:

October 16th, 1905, petition filed; October 30, 1905, hearing called for Tuesday November 7th, 1905 at Burlington; hearing continued to November 14th, 1905; November 14th, 1905, hearing at Burlington; petitioners granted leave to amend petition and further hearing continued.

Appearances: Mayor James E. Burke for petitioners; E. M. Horton for citizens of Burlington; H. H. Powers for Rutland railroad company.

PETITION.

To the Honorable Board of Railroad Commissioners of the State of Vermont:

The undersigned represent to the honorable commissioners that the highway in the city of Burlington, Vermont, leading from

Pine street westerly to Lakeside Park and thence to Crescent Beach at a place in said highway next to and immediately south and west of the Queen City Cotton Mill is crossed at grade by the main line of the Rutland railroad so called.

That said crossing is used daily by many vehicles and foot passengers, because a large population live west of the railroad aforesaid and have no other way to their work or to the main portion of the said city; also the Crescent Beach Country Club is located on the Lake shore and cannot be reached except by way of this crossing.

That approaching trains cannot be seen from either direction from teams on the highway until they are on the crossing.

That the noise from the mill near by is such that approaching trains cannot be heard.

That accidents of more or less serious character have repeatedly happened at this crossing.

That no protection to those crossing at this point is afforded except the usual sign board erected at crossings.

The undersigned further represent that an under-pass is apparently practicable at this crossing and hereby petition that an under-pass or other adequate and sufficient protection be ordered at this crossing as the law provides.

Dated at Burlington, Vermont, this 30th day of September, 1905.

CHARLES A. WAHLSTROM,
and thirty-three others.

At the request of the petitioners leave was granted to amend the petition and the hearing was postponed indefinitely, since which time no amended petition has been filed with the commissioners and no request made by any of the parties for further hearing upon the original petition.

PETITION OF CITIZENS OF FAIRFIELD.

Subject: Protection of highway grade crossings:

Docket Entries:

January 9th, 1906, petition filed; January 13th, 1906, notice of hearing for January 17th, 1906 at East Fairfield, January 17th, 1906, hearing at East Fairfield.

Appearances: Isaac N. Chase for petitioners; John Young,

Harry Blodgett and F. S. Tupper for St. Johnsbury & Lake Champlain railroad company.

PETITION.

To the Honorable Board of Railroad Commissioners for the State of Vermont:

Your petitioners, citizens and residents of East Fairfield in the town of Fairfield and its immediate vicinity, respectfully represent:

That there is a very dangerous grade crossing at a point near the westerly portion of the village of East Fairfield where the track of the St. Johnsbury and Lake Champlain railroad crosses the highway leading to North Fairfield and which crossing is now called the Burleson crossing: That said grade crossing is dangerous to the traveling public upon said highway by reason of earth embankments on both sides of the crossing and to a height that obstructs the view and prevents travelers upon said highway from observing the approach of trains coming from the east until such travelers are practically upon the tracks of said railroad; that by reason of such condition two persons lost their lives by reason of being struck by a moving train on said railroad at said point on the 1st day of January last; that the team in which said travelers were then being conveyed was also destroyed.

Your petitioners further represent; that westerly from said Burleson crossing about one hundred fifty rods is another dangerous crossing in which the same conditions practically exist as at the Burleson crossing; that one person while traveling upon the highway at that point was struck by a moving train and terribly injured and it is thought the injury caused his death; and his team was demolished.

Your petitioners further complaining say: that at a point where the said railroad crosses the highway near the residence of one John Hale is another dangerous crossing, at grade.

Your petitioners believe that said railroad company should provide in some way or manner to lessen the danger and provide for the security of travelers at said crossings, and they humbly pray that your honorable board investigate the situation at some early date and make such order, decree and mandate in the premises, and recommend such changes as to justice may seem proper.

Dated at East Fairfield, Vt., this 6th day of January, 1906.

ISAAC N. CHASE,
and ninety-one others.

Owing to the season of the year it was impracticable for the commission to determine the best method to be adopted in order to protect the traveling public at the several crossings mentioned in the petition. Accordingly the matter has remained with the commissioners and at the date of this report no order has been made and the matter is still pending.

PETITION OF G. B. WELLINGTON ET ALS.

Subject: Train connections at North Bennington.

Docket Entries;

July 29th, 1905, petition filed; September 5th, 1905, petition dismissed without prejudice at request of petitioners.

PETITION.

To the Railroad Commissioners of the State of Vermont:

The petition of the undersigned respectfully shows:

The undersigned are patrons of the Rutland railroad traveling between Bennington and Troy.

For about five months every year they, for the most part, make the round trip between said points very frequently. Formerly the morning train for Troy left at 7:55 or 8 o'clock. Now it leaves at 7:40. North Bennington is reached in about eight minutes. Then every morning there is a delay at North Bennington of from twenty-five to thirty-five minutes. The train from Rutland is always late. This being the case the train from Bennington could leave from fifteen to twenty minutes later. With respect to this train your petitioners pray that your honorable board order the Rutland company to make the leaving time of the morning train out of Bennington 8 o'clock.

The train for Bennington connecting at Hoosick Cross-over with the Boston & Maine 3:30 out of Troy consists of an engine and combination car. The latter is a smoking car. It is not fit for women passengers. With respect to this train your petition-

ers pray for an order directing the Rutland company to provide a passenger coach in addition to said smoking car.

And your petitioners will ever pray etc.

Dated at Bennington, Vermont, July 25, 1905.

G. B. WELLINGTON

and six others.

On September 5th, 1905 G. B. Wellington, for the petitioners, addressed a letter to this commission of which the following is a copy.

September 5th, 1905.

HON. HENRY S. BINGHAM,
Railroad Commissioner,
Bennington, Vt.

Dear Sir:

In the matter of the petition heretofore filed with the railroad commission of the state of Vermont, respecting train service at Bennington, I am authorized by the signers of the same to thank the board for the consideration given the matter; and in view of the practical difficulties in having the morning train leave Bennington later than its present schedule, and in view of the fact that upon representation made to the Rutland railroad company by your board the cross-over connection with the 3:30 out of Troy has been improved, the petitioners would respectfully request that the petition be dismissed without prejudice.

Respectfully yours,

G. B. WELLINGTON.

The petition was accordingly dismissed without prejudice.

PETITION OF BENNINGTON & NORTH ADAMS STREET RAILWAY COMPANY.

Subject: Condemnation of land for right of way.

Docket Entries:

June 1st, 1905 and June 28th, 1905, petitions filed;
June 29th, 1905, notice of hearing at Bennington for July
5th, 1905; June 29th, 1905; notice of hearing at Pownal
July 6th, 1905; July 5th, 1905 and July 6th, 1905, hear-
ings on the premises in Bennington and Pownal.

Appearances: O. M. Barber for Bennington and North
Adams street railway company and Bennington county savings
bank; J. K. Batchelder for Marcia Dunn; Mrs. Charles Jewett for

herself; Merritt Barber for himself; A. B. Gardner for himself; Ward E. Niles for himself.

PETITION.

To the Honorable Board of Railroad Commissioners for the State of Vermont:

Your petitioner, the Bennington & North Adams street railway company, respectfully represents that it is a corporation duly created, organized and existing under and by virtue of No. 166 of the Acts and Resolves of the General Assembly of the state of Vermont for the year 1902, approved December 8, 1902.

That it requires in the construction and subsequent operation of its railroad and in its business in the town of Bennington the following described land:

Beginning at an iron rod in the easterly line of the highway leading from Pownal Centre to Bennington and in the line between land of said Harriett A. and Mary S. Dunham and land of Abbie A. Searles, the above land line being also the town line between Pownal and Bennington, and running thence northerly along the easterly line of said highway 200 feet to an iron rod; thence north $26^{\circ} 11'$ east about 1878 feet to an iron rod in the line between land of said Harriet A. and Mary S. Dunham and land of Charles Jewett; thence easterly along said property line about 51 feet to an iron rod; thence south $26^{\circ} 11'$ west about 2081 feet to an iron rod in the line between land of said Harriet A. and Mary S. Dunham and land of Abbie A. Searles; thence westerly along said property line about 35 feet to the point of beginning.

The above tract of land contains 2.39 acres, which, as the petitioner is informed and believes, is owned by Harriet A. and Mary S. Dunham of said Bennington. That your petitioner has been unable and has failed to acquire by gift or purchase such real estate; That a copy of the survey of said real estate has been furnished to the said Harriet A. and Mary S. Dunham, pursuant to section 17 of said Act. No. 166.

Your petitioner therefore in writing respectfully petitions your honorable board upon due notice and hearing to determine whether said real estate is necessary for the construction of the railroad of the petitioner; and if found necessary to appraise the same and make the further necessary and proper orders pur-

suant to law to the end that your petitioner may acquire said real estate as by law provided.

And your petitioner will so ever pray.

Dated at Bennington, Vermont, this 30th day of May, 1905.

BENNINGTON & NORTH ADAMS STREET RAILWAY CO.

By O. M. Barber, Its Attorney.

REPORT, APPRAISAL AND ORDER.

This petition, upon due and seasonable notice to the parties, came on for hearing at the office of O. M. Barber in Bennington July 5th, 1905. The Bennington & North Adams street railway company was represented by O. M. Barber; the petitionees did not appear and were not represented.

The commissioners examined the lands described in the petition and the survey therein recited and also the major portion of the entire right of way of said railway company as surveyed and proposed through the towns of Bennington and Pownal. The parcel of land belonging to the petitionees and which the petitioner desires to take for the purposes of its railroad is described as follows: Beginning at an iron rod in the easterly line of the highway leading from Pownal Center to Bennington and in the line between land of said Harriet A. and Mary S. Dunham and land of Abbie A. Searles, the above land line being also the town line between Pownal and Bennington, and running thence northerly along the easterly line of said highway 200 feet to an iron rod; thence north $26^{\circ} 11'$ east about 1,878 feet to an iron rod in the line between land of said Harriet A. and Mary S. Dunham and land belonging to the estate of Charles Jewett; thence easterly along said property line about 51 feet to an iron rod; thence south 26° and $11'$ west about 2,081 feet to an iron rod in the line between land of said Harriet A. and Mary S. Dunham and land of Abbie A. Searles; thence westerly along said property line about 35 feet to the point of beginning; said tract containing 2.39 acres, more or less.

The commissioners find and adjudge that the taking of said parcel of land above described by said Bennington & North Adams street railway company for the purposes of its said railroad is necessary for the construction of said railroad. The commissioners also find that said parcel of land above described is fairly worth the sum of one hundred dollars and do hereby award

to said Harriet A. and Mary S. Dunham the sum of one hundred dollars as and for their damages for the taking of said parcel of land by said Bennington & North Adams railway company. And the commissioners further award that in this proceeding each party shall pay its own costs.

And the commissioners further direct that said Bennington & North Adams street railway company, before taking the parcel of land above described for the purpose of its railroad and before entering thereon, shall deposit in the First National Bank of Bennington, Vermont, said amount of one hundred dollars, payable to the order of said Harriet A. and Mary S. Dunham, and shall cause the survey above recited and this decision and award and a receipt or certificate of the payment of said one hundred dollars into the First National Bank of Bennington to the order of said Harriet A. and Mary S. Dunham, to be recorded in the town clerk's office of said town of Bennington.

Done at Montpelier this 13th day of July 1905.

FULLER C. SMITH,

H. S. BINGHAM,

GEORGE T. HOWARD,

Railroad Commissioners.

Similar petitions were filed with the commission asking for the location of a right of way and the condemnation of the necessary land over lands of Marcia A. Dunn, A. B. Gardner, Ward E. Niles, Merritt Barber and the estate of Charles Jewett, all located in the towns of Bennington and Pownal. A similar order to the above was, on the same date, made in each of these cases establishing the location of the electric railway and making an appraisal of the land damages to be paid by the petitioner to the owners of the respective parcels of land. The petitions and orders are all on file at the office of the commissioners at Montpelier and the awards have been filed for record in the office of the town clerk in which the land is situated; it is not deemed necessary to record them at length in this report.

PETITION OF SELECTMEN OF BERLIN.

Subject: Elimination of highway grade crossings.

Docket Entries:

April 7th, 1906 petition filed.

At the time of this report, June 30, 1906, the subject matter of this petition had been referred to the Central Vermont railway company and negotiations are under way looking toward an adjustment of the matter that will prove satisfactory to both parties.

PETITION OF CITIZENS OF BETHEL.

Subject: Improvement of highway grade crossing.

Docket Entries:

May 25, 1906, petition filed.

In this case a copy of the petition was referred to the Central Vermont railway company and the management advised the commission that an effort would be made to adjust the matter amicably; subsequently, the improvements asked for by the petitioners were partially complied with and the attention of the company was again called to the matter and at this writing the commission is advised that the improvements will be speedily completed.

PETITION OF CITIZENS OF VERNON, VT. AND NORTH-FIELD, MASS.

Subject: New passenger station and elimination of highway grade crossings.

Docket Entries:

March 6, 1906, petition filed; March 8, 1906, hearing called at South Vernon for March 20, 1906; March 20, 1906, hearing at South Vernon and continued; July 13th, 1906, hearing at South Vernon and continued.

Appearances: A. F. Schwenk for petitioners; C. W. Witters for Central Vermont railway company; R. W. Erwin for Boston & Maine railroad.

This case involves a proposal to move the South Vernon passenger station across the line into the state of Massachusetts and

a change in the location of the highway so as to eliminate a dangerous highway grade crossing in Vermont and two in Massachusetts. Commissioners for the same purpose have been appointed by the court in Massachusetts with a view of uniting with this commission in a ruling and order that will bring about the desired changes and improvements. The petitioners are both interested in accomplishing this result and within some short time these desirable changes will doubtless be effected. The commission still has the matter under consideration.

PETITION OF CITIZENS OF SWANTON.

Subject: Accommodations at East Swanton railroad station.

Docket Entries:

March 11, 1905, petition filed.

PETITION.

To the honorable board of Railroad Commissioners:

We, the undersigned residents of Swanton who have occasion to frequently make use of the so-called east station of the Central Vermont railroad situated in Swanton do hereby respectfully call your attention to some of the inconveniences of this station as hereafter enumerated:

The station is not sufficiently heated to be comfortable for passengers waiting for trains, being located in a particularly cold spot and the sole means of heat being a small coal stove entirely inadequate to heat the station.

The station is not supplied with water for drinking or any other purpose, a matter we believe could be remedied at little expense.

The building is absolutely without sanitary conveniences of any sort, except earth closets situated some distance from the station and not fit for use.

There is but one general waiting room for the use of both men and women where we believe there should be two for the convenience of the traveling public.

This station is a connecting point for the Central Vermont and St. Johnsbury and Lake Champlain roads and passengers are frequently, almost daily, compelled to wait for hours for connecting trains and the defects referred to above are a great hardship for

them. The amount of business transacted at this station is large and in our judgment warrants far better accommodations than are now afforded.

We therefore pray that your honorable board will give this matter early attention and afford us such relief as lies within your power.

CARL C. FLETCHER,
and thirty others.

A copy of this petition was mailed to the Central Vermont railway company and thereupon the company made certain improvements in the accommodations at East Swanton which fairly met the requirements of the petitioners, and afterwards the petition was withdrawn before hearing.

PETITION OF CITIZENS OF BRATTLEBORO AND DUMMERSTON.

Subject: Elimination of highway grade crossings in Dummerston.

Docket Entries.

April 7, 1906, petition filed; June 7, 1906, notice of hearing at West Dummerston for June 15, 1906; June 15, 1906, hearing at West Dummerston.

Appearances: M. R. Robbins for petitioners; C. W. Witters for Central Vermont railway company; J. L. Martin for Holden & Martin; Albert Fitts for himself; J. F. Houghton and W. W. Burnett, selectmen, for town of Dummerston.

PETITION.

To the honorable board of State Railroad Commissioners:

GENTLEMEN:

The undersigned respectfully request you to examine the grade crossing on W. R. R. near West Dummerston on land of Holden & Martin of Brattleboro and Albert Fitts on the premises, post office address Brattleboro R. F. D., for the purpose of abolishing two of the crossings.

M. R. ROBBINS
and fifteen others.

At the date of this report no decision has been rendered and the case is pending before the commission.

PETITION OF CITIZENS OF BENNINGTON.

Subject: Elimination of highway grade crossing.

Docket Entries:

February 16, 1906, petition filed; May 29, 1906, hearing called at Bennington for June 7, 1906; June 7, 1906, hearing continued.

At the time this report goes to press no hearing has been held on the petition. The case is still with the commission.

A petition has also been received praying for the erection of a new passenger station on the Central Vermont railway at Barre and for better train service between Barre and Montpelier Junction. No hearing has been fixed at the date of this writing.

Accidents.

The law requires that the commissioners shall investigate or inquire into the causes of all accidents involving loss of life or serious injury to persons and into the causes of other accidents if in the opinion of the commissioners such investigation is desirable. A docket of such accidents has been kept by the clerk of the board.

In many cases no public investigation has been made for the reason that inquiry showed that the cause could not be determined. So the accident cases reported in this chapter have been divided into two classes, viz.:

I. Cases in which public investigations have been held.

II. Cases in which a commissioner has inquired into the cause and as far as possible fixed the responsibility, but without public investigations.

I.

PUBLIC INVESTIGATIONS.

IN RE EDWARD NILES.

Fatal accident at Pownal on August 14th, 1904.

REPORT AND OPINION.

A public investigation into the cause of this accident was held at Pownal on January 25th, 1905, the commissioners all being present. W. R. Daley, state's attorney for the county of Bennington appeared for the state of Vermont; Geo. A. Weston for the Boston & Maine railroad and Hoxie Hall for the relatives of Edward Niles.

On August 14th, 1904 a west bound freight train was passing the station at Pownal; Edward Niles, a youth about fifteen years of age, was near the station and as soon as the freight had passed the crossing just east of the depot he attempted to cross both the west and east bound tracks on a bicycle. As he passed over the west bound track close to the rear of the passing freight train an east bound passenger train, running at a rapid rate, reached the crossing on the east bound track and Niles rode directly into the side of the engine. He was instantly killed.

The crossing where the accident occurred is claimed by the Boston & Maine railroad to be a private crossing but no evidence was introduced from which the character of the crossing could be established. The evidence did establish, with reasonable certainty, the fact that the east bound passenger train sounded the usual warning whistle for the station and for the highway crossing west of the station. The noise of the passing freight train doubtless prevented this warning being heard by Niles. It was negligence for Niles to attempt the crossing without first ascertaining whether or not an east bound train was approaching. This train was not scheduled to stop at Pownal. Under all the circumstances nothing could be done to avert the accident. The commissioners conclude that no fault can be attributed to the Boston & Maine railroad or its servants or employees.

This crossing is a dangerous one; if it is a private crossing established merely to give easy access to cars upon the siding of this station it should be closed and access gained from the street west of the depot; if it is a public highway crossing, a signal bell or other safety device should be established to give better protection to the public. In the absence of any proof as to the character of the crossing, the commissioners refrain from making any order in the premises.

Done at Rutland this 10th day of March, 1905.

FULLER C. SMITH,

H. S. BINGHAM,

GEORGE T. HOWARD,

Railroad Commissioners.

IN RE FRANCIS GARRANT.

Fatal accident at St. Albans, September 11th, 1904.

Pursuant to notice the commissioners met at St. Albans on the 13th day of January 1905 and held a public investigation into the causes of the fatal accident to Francis Garrant. Warren R. Austin, state's attorney for the county of Franklin, presented the evidence before the commissioners. C. W. Witters appeared for the Central Vermont railway company and C. D. Watson represented the relatives of Francis Garrant.

The facts established by the evidence were substantially as follows: On the evening of September 11th, 1904, Garrant was employed as a brakeman with the shifting gang in the "Italy" yard at St. Albans. A live electric wire became detached from a pole and fell across the top of a freight car upon which Garrant was riding. It was claimed that Garrant, against the advice of his associates, picked up this live wire and broke it in two and threw it from the car. He proceeded with his work for a time and afterwards was missed by his conductor; a fellow workman was sent in search of Garrant and found him lying dead upon the platform between the tracks and the stockyard. Beside his body some fifty or more feet of the same live electric wire was found

coiled in more or less regular order. The physician, who was summoned to attend Garrant, testified that in his opinion Garrant died from the effects of a shock received from the live electric wire. There were no marks upon his body that indicated injury from any other cause. The place where he was found was located some distance from where he first came in contact with the wire, but it was where he would necessarily go for the purpose of pulling the wire from the tracks and out of the way of cars, after he had broken it as claimed by his fellow employees.

No evidence was introduced before the commissioners which would justify a finding that the Central Vermont railway company or its servants or employees were in any way responsible for the death of Garrant. The railway company did not erect or maintain the poles and wires that constituted the lighting system of the yard; Garrant, if he met his death by coming in contact with a live wire, was engaged in a work outside of his occupation as a brakeman and assumed the risks incident thereto.

The commissioners therefore conclude that the accident occurred through no fault of the Central Vermont railway company, its servants or employees.

Done at St. Albans, Vt., this 31st day of January 1905.

FULLER C. SMITH,

H. S. BINGHAM,

GEORGE T. HOWARD,

Railroad Commissioners.

IN RE DENNIS LYNCH, EDWARD SMITH AND JERRY SHEA.

Fatal accident at Bethel, September 18th, 1904.

Pursuant to notice to all the parties interested the commissioners met at Bethel on the 13th day of October 1904 and investigated the cause of the accident.

H. H. Blanchard, state's attorney for the county of Windsor, appeared for the state of Vermont and presented the evidence before the board. C. W. Witters appeared for the Central Vermont railway company. M. M. Gordon for the relatives of the deceased.

The victims of the accident, together with one Carroll, met at or near the passenger station in the village of Bethel about 8 o'clock on the evening of September 17th, 1904, and were to-

gether continuously from that hour until about 11:30 o'clock. From the testimony of Carroll it appears that the four men procured three quarts of whiskey and during the evening consumed the greater part of it. At 11:30 o'clock the four were standing some forty yards south of the waterhouse at Bethel station and at that hour were all in an intoxicated condition. Carroll left the other three men and crawled into a freight car where he went to sleep. At about 12:15 in the morning of September 18th southbound extra freight with engine 821 passed Bethel station and when its first stop was made at South Royalton the trainmen discovered evidence upon the engine and cars which indicated that somewhere on the trip a person had been run over. At about six o'clock in the morning Carroll got out of the freight car and discovered upon the main line the badly mangled bodies of Lynch, Smith and Shea; all were dead.

The commissioners conclude that the three men were struck by the south-bound freight train and at the time of the accident were in such a condition of intoxication that they did not heed the approach of the train. They were trespassing upon the track of the Central Vermont railway company. At the hour when the accident occurred a heavy fog interfered with the view of the track by the engineer and he was unconscious of the fact that the men were run over. This condition of the weather was clearly established by several disinterested witnesses.

The commissioners find that no fault can be attached to the Central Vermont railway company or its employees in the operation of the train and that no fault can be attributed to the company for the accident.

Done at St. Albans, Vermont, this 14th day of October 1904.

FULLER C. SMITH,

H. S. BINGHAM,

GEORGE T. HOWARD,

Railroad Commissioners.

IN RE GEORGE P. BARROWS.

Personal injury at Vergennes, September 16, 1904.

Pursuant to notice the commissioners met at Vergennes on the 31st day of October 1904 and held a public investigation into the cause of this accident. James B. Donoway, state's attorney

for the county of Addison, presented the evidence before the commissioners. Frank W. Tuttle appeared for the estate of George P. Barrows and P. M. Meldon for the Rutland railroad company.

The evidence disclosed the following facts: George P. Barrows, in company with Dr. V. M. Waterman, were passengers from Burlington to Vergennes on the train due to leave Burlington for the south at 10:20 o'clock p. m., September 16th, 1904. This train left Burlington about 45 minutes late and made only one stop between Burlington and Vergennes, that at Shelburne. When the train arrived at Vergennes Barrows and Waterman were sitting in the coach just back of the smoker. Dr. Waterman testified that when the train stopped at Vergennes Mr. Barrows was asleep and that he woke him up; before they reached the car door the train started. Dr. Waterman and Barrows stepped down on to the steps of the car, Dr. Waterman jumped off and Barrows followed him. Barrows was thrown down when he alighted on the depot platform, rolled off the platform under the cars and sustained injuries that necessitated the amputation of an arm. He was taken to a hospital in Burlington and afterwards died.

Dr. Waterman and Barrows were the only passengers who left the train at Vergennes and only one or two boarded the train at that point. The testimony of Dr. Waterman showed that some appreciable time was consumed in waking up Mr. Barrows and in making their way to the door of the car. One Tabor, who boarded the train at Vergennes, entered the car before Waterman and Barrows got out and some conversation between them occurred. The conductor of the train was busy in taking up tickets in the sleeping cars and the trainman was performing his duties on the platform at the rear of some other car. The latter gave the motion for the train to proceed. The testimony of Leo G. Larrow, driver of the express team, was to the effect that the train made only a very short stop at Vergennes. He took from the express car only five or six pieces of express matter and the train started before he was able to get the last piece off; these pieces were handed him by the messenger on the car. Larrow saw both Waterman and Barrows jump from the train after the same was in motion.

The conclusion of the commissioners is that while the train made only a short stop, and possibly hardly sufficient to properly and safely perform the work at that station, Barrows did not exercise common and ordinary care and prudence in alighting from

the train. It is an act of negligence to attempt to board or alight from a train while the same is in motion. The safe and prudent thing to do, under such circumstances, was to go back and notify the trainman or conductor that he was being carried by. It would then have become the duty of the trainman or conductor to stop the train and permit Barrows to get off. Neglect to use the manifest means of securing a safe exit from the train and the voluntary assumption of the risks involved in jumping from a train he knew was in motion, brought upon Barrows the serious consequences which followed.

It is the duty of the railroad company to stop its trains at all stations, where they are scheduled to stop, a sufficient length of time to enable all passengers to alight and board the train and to perform such other duties as are necessary; and the management should require its employees to observe this duty. But their failure to make a sufficient stop does not excuse Barrows in assuming the danger of jumping from the moving train.

The commissioners make no finding upon the question of whether the train stopped long enough for Waterman and Barrows to have alighted, provided they had been reasonably expeditious in their efforts to get off the train; it is not important to make this finding, because the act of jumping from a moving train is an act of negligence in itself and under almost any and all circumstances.

The commissioners therefore find that the accident to George P. Barrows was caused by his own careless act and not by reason of fault of the Rutland railroad company, its servants or employees.

Done at St. Albans, Vt., this 13th day of January, 1905.

FULLER C. SMITH,

H. S. BINGHAM,

GEORGE T. HOWARD,

Railroad Commissioners.

IN RE MRS. GEORGE DECERO.

Fatal accident near West Rutland, July 17th, 1904.

Pursuant to reasonable notice a public investigation into the causes of this accident was held at Rutland on the 21st day of September, 1904. W. H. Preston, state's attorney for the county

of Rutland, appeared for the public and presented the testimony of witnesses before the commissioners. George E. Lawrence appeared for the relatives of Mrs. Decero and T. W. Moloney appeared for the Delaware & Hudson company.

It appeared from the evidence that Mrs. Decero, at the time of the accident, was walking west on the track of the Delaware & Hudson company, holding over her head a sun umbrella; a passenger train was approaching her from the west which she did not hear or see; the whistle for a highway grade crossing was sounded some one hundred rods or more west of where the accident occurred and when the engineer discovered Mrs. Decero approaching he blew several short blasts of the whistle to alarm her and made an emergency application of the air brakes. Mrs. Decero gave no heed to the warnings of the approaching train and was struck and instantly killed. She was a trespasser upon the track of the Delaware & Hudson company and the commissioners find that every effort was made by the engineer to stop his train and to warn her of its approach. No blame can be attached to the Delaware & Hudson company or its servants and employees.

Done at Rutland, Vt., this 18th day of October, 1904.

FULLER C. SMITH,

H. S. BINGHAM,

GEORGE T. HOWARD,

Railroad Commissioners.

IN RE C. M. COLBURN, THOMAS HANLEY AND E. W. RING.

Collision at Burlington, August 31st, 1904.

On the 20th day of September 1904 the commissioners held a public investigation to determine the cause of this accident at Burlington. Again on October 18th, 1904, another hearing was held at the same place. M. G. Leary, state's attorney for the county of Chittenden, appeared for the state of Vermont and C. W. Witters for the Central Vermont railway company.

It appeared that on the 31st day of August, 1904, passenger train No. 20 was approaching the station at Burlington from the north at a speed of ten or twelve miles per hour. At the same time engine 102 was backing down from the engine house in charge of Roy Day, fireman. This engine was destined for the storage track on the easterly side of the north end of the depot platform.

It seems that the switch leading from the siding, over which engine 102 was passing, to the main line was open; fireman Day did not discover this and his engine backed on to the main line just as No. 20 was passing. Engine 102 struck the baggage car, which was tipped over and the smoking car was derailed and partially upset. Three persons, including two passengers, were more or less injured.

Prior to the accident a freight train from the Rutland railroad had passed over the track, and C. H. Peterson, fireman, testified that the switch in question was open when they reached it. It was the duty of his brakeman to close it, but this was not done this morning because it was found open and they left it as they found it. He understood that was his duty. On the other hand, fireman Day of engine 102 had always found this switch closed.

The commissioners conclude that the accident was caused by the carelessness and neglect of fireman Roy Day. He should have known whether or not this switch was open before attempting to pass over the track with his engine. He could have easily ascertained the fact by the exercise of ordinary care. The commissioners are convinced that in a large yard like that at Burlington the employment of switchmen will do away with the danger of such accidents and that it is the manifest duty of the management to furnish such service at that point as will afford reasonable protection against the recurrence of such a mis-hap. With two railroads making use of the tracks and with a proper division of the expense the burden cannot be great. The absence of switch tenders does not excuse fireman Day; he should have been more watchful.

Done at St. Albans this 10th day of February 1905.

FULLER C. SMITH,

HENRY S. BINGHAM,

GEORGE T. HOWARD,

Railroad Commissioners.

IN RE ELLERY VANCE.

Fatal accident near Newport, August 3rd, 1904.

After seasonable notice to all the parties interested a public investigation into the cause of this accident was held at Newport

on the 4th day of May 1905. All the commissioners were present. E. A. Cook, state's attorney for the county of Orleans, presented the evidence before the commissioners; F. E. Alfred appeared for the Canadian Pacific railway company and A. P. Vance, father of Ellery Vance, pro. se.

The evidence disclosed the following facts: On the day of the accident Ellery Vance started from Newport village along the Canadian Pacific railway track intending to go to the home of his brother who lived three or four miles from Newport village; it is supposed that he started on this trip at about twelve o'clock. So far as could be ascertained no person saw him again until his lifeless body was found beside the railroad track at about seven o'clock in the evening.

The marks upon the ground, the position of the body and the wound upon the left arm strongly indicated that he was struck by the air line train from the north which is due to arrive in Newport at about 12:35 p. m. Mr. Vance was about 26 years of age, rather frail physically, totally deaf in one ear, and very hard of hearing in the other. He was not run over by any wheels of the train but is supposed to have stood too near the train and was struck by some part of the engine or a car. He had a pronounced heart trouble and his death was undoubtedly caused by the shock in connection with the blow he received.

The engineer and fireman of the train testified that they had no recollection of seeing any person near the place of the accident on that date. There were two crossings within about 125 rods of the place and the usual warnings were given for these crossings. Mr. Vance was upon the railroad track without leave or license of the Canadian Pacific railway company.

The commissioners conclude that the accident was caused by the negligence of Mr. Vance himself and that no blame can be attached to the Canadian Pacific railway company, its servants or employees.

Done at St. Albans this 5th day of May 1905.

FULLER C. SMITH,

H. S. BINGHAM,

GEORGE T. HOWARD,

Railroad Commissioners.

IN RE LEON H. WATERMAN.

Fatal accident at Sharon, October 22nd, 1904.

A public investigation of this accident was held by the commissioners at White River Junction, February 3, 1905. W. N. Batchelder, appeared for the state's attorney of Windsor county and produced the evidence before the commissioners; C. W. Witters, for the Central Vermont railway company.

The accident to Waterman occurred at about 6:30 o'clock p. m. on October 22, 1904. Waterman was a brakeman upon a south bound freight train which left Sharon at that hour for West Hartford; he had been in the employ of the company only three or four weeks and was therefore an inexperienced brakeman. No person was an eye witness to the accident, but the testimony of the train crew fairly established the following facts: When the train started from Sharon, Waterman was on top of a freight car near the middle of the train with his lantern; he was last seen by conductor McCanon just as the train started. When the train reached West Hartford, Waterman was missing; an investigation developed the fact that he was not on the train. At the rear of the engine there was a bark-rack car partially loaded with bark; behind this were box cars and on the front trucks of the box car next to the bark-rack car were bloody marks showing that these trucks had perhaps run over some person on the track. The engine was uncoupled from the train and with conductor McCanon was run back to Sharon, where the body of Waterman was found on the main line track near the freight depot badly mutilated. From the fact that Waterman usually rode on the head end when he was not engaged in working his train it is concluded that in passing from the top of the freight car near the middle of the train to the engine and in attempting to get over the rack of the bark car he fell and was run over by nearly the entire train.

Conductor McCanon made an examination of the condition of the cars of his train and particularly of the bark-rack car and found them all in good order, with ladder and hand grapples intact.

It is concluded that Waterman came to his death through no fault of the Central Vermont railway company, its servants, or its employees.

Done at St. Albans, Vermont, this tenth day of February, 1905.

FULLER C. SMITH,
HENRY S. BINGHAM,
GEORGE T. HOWARD,
Railroad Commissioners.

IN RE A. JOHNSON.

Fatal accident at Proctorsville, November 1st, 1904.

A public investigation into the cause of this accident was held at Proctorsville, Vt., November 25th, 1904, by commissioners Bingham and Howard. H. H. Blanchard, state's attorney for the county of Windsor, presented the evidence before the commissioners and H. H. Powers appeared for the Rutland railroad company.

At about nine o'clock on the morning of November 1st, 1904 Johnson drove on to the railroad crossing near the depot in the village of Proctorsville and was struck by a north-bound freight train and instantly killed. The evidence showed that the train was running about 20 miles per hour and that before reaching this crossing and at a point between one quarter and one half mile away, one or more whistles were blown to warn travelers of the approach of the train. The testimony of the three men on the engine was to the effect that whistles were blown for two highway crossings and another for the station, all within a distance of one-half mile from the crossing where the accident occurred. Other witnesses who were near the crossing testified to the blowing of only one whistle or none at all. But there is substantial agreement that at least one whistle was blown.

Johnson was an elderly man, but his sight and hearing were not sensibly impaired. He was warned by at least one person of the approach of the train but failed to turn back or stop. He drove his team upon the crossing without taking the precaution to look or listen for the approach of a train and suffered the penalty of his own carelessness. The crossing is a very blind one and the view of a train approaching from the south is obstructed until the traveler is very nearly upon the track. Mr. Johnson was a long time resident of the vicinity and was perfectly familiar with the crossing and its approaches. The exercise of prudence and

even ordinary care on his part would have averted the accident. Fault cannot, under such circumstances, be attributed to the railroad company or its employees who were operating the train.

The obstructions to the view at this crossing cannot be eliminated without large expense, but the commissioners believe that the Rutland railroad company should erect and maintain a warning bell that will give notice of the approach of a train from either direction.

It is therefore ordered that the Rutland railroad company erect and install at this crossing an automatic electric bell equipped with such appliances as will automatically operate it when a train is approaching said crossing from either direction upon the main line and that said electric bell be erected and installed by the Rutland railroad company and at its expense on or before the 1st day of March 1905.

Done at Rutland this 24th day of January 1905.

H. S. BINGHAM,

GEORGE T. HOWARD,

Railroad Commissioners.

IN RE ANTONIO PUOPOLO.

Fatal accident at St. Albans, November 1st, 1904.

A public investigation of this accident was held at St. Albans, on January 13, 1905. Warren R. Austin, state's attorney for the county of Franklin, appeared for the state of Vermont; C. W. Witters, for the Central Vermont railway company.

In the early morning of November 1st, 1904, Puopolo was engaged in cleaning the fire of engine No. 850 on the ash pit in St. Albans yard, when LaMotte, a hostler, backed engine 849 on to the ash pit and in doing so moved engine 850. Puopolo was caught underneath the wheels and so seriously injured that he afterwards died. An examination of the ash pit showed that it was a structure elevated high enough so that Puopolo could have entered the place without climbing over the rail and between the wheels of an engine standing on the pit. If in the discharge of his duties he placed himself in a position to be caught by the wheels of a

moving engine it was his own careless act. Hostler LaMotte may have been careless to a degree in placing engine 849 on the pit, but Puopolo, if exercising care and prudence, would not have been injured. The commissioners conclude that the accident occurred through the carelessness of the deceased.

Done at St. Albans, this tenth day of February, 1905.

FULLER C. SMITH,

HENRY S. BINGHAM,

GEORGE T. HOWARD,

Railroad Commissioners.

IN RE BARNARD J. CASSIDY.

Fatal accident near North Hartland, November 2nd, 1904.

A public investigation of this accident was held at White River Junction, on the 3rd day of February, 1905. W. M. Batchelder, appeared for state's attorney of Windsor county, and C. W. Witters, for the Central Vermont railway company.

An investigation disclosed the fact that no person saw the accident or was able to tell when it occurred. At about 6:45 a. m. of said 2nd day of November, the conductor of south-bound train No. 252 notified the agent at North Hartland that the body of a man was lying about one mile north of the station apparently dead. The selectmen were notified and the remains identified as those of Barnard J. Cassidy. Prior to the day of the accident, Mr. Cassidy had been in White River Junction for two or three days stopping with relatives, during which time he was ill. On the afternoon of November 1st, Cassidy started to walk from White River Junction to North Hartland, probably making his way along the railroad track. In some unknown manner it is believed he was struck by a passing train and instantly killed; his body not being discovered until the following morning. He was a trespasser upon the right of way of the Central Vermont railway company and it is concluded that he came to his death by reason of his own carelessness and not by any fault of the Central Vermont railway company, its servants or employees.

Done at St. Albans, Vermont, this tenth day of February, 1905.

FULLER C. SMITH,

HENRY S. BINGHAM,

GEORGE T. HOWARD,

Railroad Commissioners.

IN RE JOHN RUTHERFORD.

Fatal accident at Montpelier Junction November 14th, 1904.

A public investigation of this accident was held at the office of the railroad commissioners at Montpelier on the 2nd day of February, 1905. S. H. Jackson, state's attorney for the county of Washington, presented the evidence before the commissioners; C. W. Witters appeared for the Central Vermont railway company and John H. Senter for the relatives of the deceased.

The testimony fairly established the fact that on the morning of the accident Rutherford, in company with Walter Lindsay, went from Montpelier to Montpelier Junction for the purpose of putting a new draw bar in a car located on the storage track near the passenger station. At about nine o'clock freight train No. 33 was engaged in shifting cars to and from the storage track and at about that hour passenger trains were also due from the north and south. Rutherford was in charge of the work and sent Lindsay with a blue flag to attach to the north car on the storage track as a warning against moving the cars without first giving notice to those engaged in repairing them. Lindsay walked north on the station platform to perform this duty and Rutherford, without waiting for the blue flag to be thus placed, went underneath the car and engaged himself in the work of repairs. Just at this time train No. 33 backed on to the storage track and moved the car under which Rutherford was at work; Rutherford was caught beneath the wheels and instantly killed. The evidence was conclusive that when train No. 33 backed on to the cars on the storage track no blue flag had been displayed.

It is therefore concluded that Rutherford came to his death by reason of his own careless act and not through any fault of the Central Vermont railway company, its servants or employees.

Done at St. Albans, Vermont, this tenth day of February 1905.

FULLER C. SMITH,
H. S. BINGHAM,
GEORGE T. HOWARD,
Railroad Commissioners.

IN RE HIRAM DEAL.

Fatal accident at Highgate Springs, November 18th, 1904.

A public investigation of this accident was held at St. Albans on the 1st day of February, 1905, at which hearing Warren R. Austin, state's attorney for the county of Franklin, appeared for the state of Vermont and C. W. Witters for the Central Vermont railway company.

It appeared from the evidence produced before the commissioners that Hiram Deal, a man about sixty-five years of age, attempted to drive his team over the highway crossing just south of Highgate Springs depot in front of north-bound passenger train No. 5 on the evening of Nov. 18, 1904. Mrs. Lambert, who lived within a few rods of the crossing, testified that she saw the accident and attempted to warn Mr. Deal of his danger, but that he apparently attempted to make the crossing although he was conscious of the near approach of the train. It appears that the usual crossing whistles were blown and the bell rung at the time of the accident. It was impossible to stop the train in time and Mr. Deal's team was struck and he was instantly killed. The approach of the train to the crossing was in full view of Mr. Deal and he evidently failed to exercise a proper degree of caution in attempting to make the crossing.

The commissioners conclude that the accident occurred through no fault of the Central Vermont railway company, its servants or employees.

Done at St. Albans, Vermont, this tenth day of February, 1905.

FULLER C. SMITH,
HENRY S. BINGHAM,
GEORGE T. HOWARD.

Railroad Commissioners.

IN RE COLLISION.

Head Collision at Swanton Junction on January 17th, 1905.

A public investigation into the cause of this collision was held at St. Albans on February 1st and 17th, 1905. Warren R. Austin appeared for the state of Vermont and presented the evidence

before the commissioners. C. W. Witters appeared for the Central Vermont railway company.

At about 6:30 o'clock of the morning of January 17, 1905, extra freight train, north bound, No. 821 collided with south bound freight train No. 92 at Swanton Junction; no person was seriously injured but a large amount of property was destroyed.

Extra No. 821 had orders to run extra from St. Albans to St. Armand, P. Q., and left St. Albans yard at about 6:16 a. m. No. 92 was a regular south bound freight train from St. Johns, P. Q. to St. Albans due at St. Albans at 6:10. When conductor Vallee and engineer Penniman of extra 821 received their orders they were advised of the fact that No. 92 had not arrived. This fact they ascertained from the train register. Just as extra 821 passed out of the St. Albans yard on to the main line she met extra south bound No. 101 on the double track. It is supposed that engineer Penniman of extra 821 concluded that extra 101 was No. 92 and proceeded upon that theory until he met No. 92 in collision at Swanton Junction.

Rule 189 of the Central Vermont railway company under which train employees were acting at the time of the collision, reads as follows: "Two white flags by day and night, and in addition two white lights by night, displayed in the places provided for that purpose on the front of an engine, denote that the train is an extra. These signals must be displayed by all extra trains, but not by yard engines." The testimony showed that when extra No. 821 passed extra 101 just north of the St. Albans yard the fireman of extra 821 called to the men on the engine of extra 101 and asked if the latter was train No. 92; a negative reply was made but was not understood by those on engine 821. With this doubtful assurance, or rather with no assurance at all, that extra No. 101 was No. 92, Penniman continued on his way. The testimony showed very conclusively that the white flags and white lights, denoting that engine 101 was an extra, were properly displayed and could have been seen by Penniman and his fireman if proper care had been exercised by them at the time the two trains passed each other. While Penniman's testimony was to the effect that no such signals were displayed on engine No. 101, yet the proof is convincing that such signals were in fact displayed. But more especially is Penniman in fault when he confesses that he attempted to secure verbal assurance that he was meeting No. 92 from the crew on the engine and did not understand what reply was made to his inquiry. This should have prompted him to

ascertain beyond any doubt whether or not the train he was passing was No. 92.

The commissioners conclude that the collision resulted from the failure of engineer Penniman to give heed to the rules of the company and perform his manifest duty in ascertaining the number and character of the train he met as he left the St. Albans yard. It occurs to the commissioners that an added assistance in identifying trains may be had by displaying the number and character of the train upon the headlight of the engine, both by day and night; using the number of the train in plain figures and the character "X" to denote that the train is an extra. The use of such an additional signal has been found practicable upon other systems.

Done at St. Albans this 27th day of February 1905.

FULLER C. SMITH,

H. S. BINGHAM,

GEORGE T. HOWARD,

Railroad Commissioners.

IN RE MAXIM BELMORE.

Fatal accident at West Rutland, December 13th, 1904.

A public investigation into the cause of this accident was held at Rutland on the 10th day of March 1905. R. A. Lawrence, state's attorney for the county of Rutland, presented the evidence before the commissioners and T. W. Moloney appeared for the Delaware & Hudson company.

It appeared that on the morning of the accident a train left Rutland for West Rutland and the True Blue quarry, so-called, carrying workmen. After discharging its passengers at True Blue and taking a few passengers for the return trip to West Rutland the train backed from True Blue to West Rutland, a distance of about three miles. When near West Rutland it struck and fatally injured Maxim Belmore. Belmore was a workman in a hoisting shanty located very near the track; he was hurrying to his place and stepped on to the track in front of the backing train. The testimony as to the distance between the train and Belmore when the latter stepped on to the track was conflicting; the conductor, who stood inside the car looking out the door, placing it at not more than six to ten feet, while an eye witness

not in the employ of the railroad company testified that the distance was from 30 to 40 feet. The train was backing at a rate of about 8 to 12 miles per hour, according to the statement of the conductor. There was no air whistle on the platform of the car and no trainman stood on the platform to warn people of the approach of the train. For a considerable of the distance between True Blue and West Rutland the line of track passes alongs de quarries, sheds and shanties and the track is constantly used as a highway for pedestrians; this fact was known to the conductor and trainmen. There were no lights on the platform of the car or on the end to serve as markers.

The evidence showed that flags were placed in position on the rear of the train when leaving Rutland at 6:30 a. m., but no lights were used. The accident occurred at about 7:10 a. m. There are three highway crossings between True Blue and West Rutland, at which the usual warnings were sounded. The train consisted of two passenger coaches equipped with air brakes. A whistle in the engine cab connected with a cord through the train, enabled the trainmen to signal the engineer. The emergency lever in the car was at the other end of the car from where the conductor stood. The conductor attempted to pull the signal rope when he first discovered Belmore on the track, but missed it; he called out a warning but Belmore was struck before he could get off the track and before anything could be done to stop the train or slacken its speed. Had the engineer been signalled he would not have understood the necessity of making an emergency stop.

Belmore was a trespasser upon the track of the Delaware & Hudson company. He had twice been struck by other trains and knew the peril of being upon the track. But railroad companies and their employees engaged in the operation of trains owe a duty to even trespassers upon the right of way. The practice, long in use, of backing this train from True Blue to West Rutland, through a territory well occupied by quarries, spur tracks, highways, sheds, and shanties with a numerous population of workmen who must, almost of necessity, at times make use of the railroad track in passing to and fro and in crossing from one side to the other, is a very dangerous one; it is especially so when the car ahead is not equipped with an air whistle and emergency brake that can be operated at an instant's notice and where no trainman stands upon the platform. Even with all these precautions the practice is one that cannot be tolerated except in occa-

sional instances and then with the exercise of the greatest care.

The conclusion of the commissioners is that the accident happened by the primary fault and carelessness of Maxim Belmore. Contributing to the unfortunate result was the negligence of the trainmen in operating the train in the manner above set forth. It did not appear whether or not the practice originated from an order of the company or was instituted by former employees and trainmen.

It is ordered that the Delaware & Hudson company forthwith cease to operate any train by running it backwards from True Blue to West Rutland and that in all cases where passenger coaches are used the engine shall precede the cars. If proper facilities are not afforded for turning the engine upon arrival at True Blue then the same should be immediately provided.

Done at St. Albans this 15th day of March, 1905.

FULLER C. SMITH,

H. S. BINGHAM,

GEORGE T. HOWARD,

Railroad Commissioners.

IN RE COLLISION.

Rear end collision at Oakland, January 30th, 1905.

A public investigation into the cause of this accident was held at St. Albans on February 17th and 24th, 1905, all the commissioners being present. Warren R. Austin, state's attorney for the county of Franklin, presented the evidence before the commissioners. C. W. Witters appeared for the Central Vermont railway company.

Freight train No. 200 left Milton north-bound at about 3:50 a. m. Engine No. 104, with only a van attached, left Milton at about 4:38 a. m. At Oakland the latter engine collided with the rear end of No. 200 and J. D. Quintin, conductor, and T. A. Kelley, fireman of No. 104 were injured.

The testimony in respect to the speed of both trains at the time of the collision was conflicting and the commissioners are unable to determine the facts. The location is on a curve but the headlight of No. 104 could be seen by a person on the lookout from the van of No. 200 at least one hundred rods. The fireman of No. 104 testified that the engine was leaking steam badly and

that for that reason the tail lights of No. 200 could not be distinguished. The engineer, on the contrary, testified that he discovered No. 200 some seven or eight telegraph poles away and that the steam did not obscure his view because he had shut off and was not working steam. He also testified that the brakes upon engine No. 104 were so worn that he could not get effective service from them and further that when he discovered the tail lights of No. 200 at a distance of seven or eight telegraph poles he applied the air in emergency and reversed his engine.

From the comparative location of the two trains after the accident the commissioners find that No. 200 was proceeding at a very slow rate of speed. It was the duty of the conductor and brakeman of this train, under the circumstances, to keep a very sharp look out for a following train and to protect their own train by flag or fusees. No flagman was out and no fusee was thrown until No. 104 was close upon them and too late to avoid a collision. The commissioners therefore find that the conductor and rear brakeman of No. 200 did not properly discharge their duty in respect to protecting their train.

The commissioners also find that the engineer of engine No. 104 improperly operated his engine by making an emergency application of the air and at the same time reversing his engine. By doing both he could not have stopped his train as quickly as with an application of the air alone. The collision was doubtless caused by a combination of the neglect of the conductor and brakeman of No. 200 and the improper management of engine 104 by its driver.

The testimony of all the witnesses fairly established the fact that engine No. 104 was not in proper condition for use but the commissioners cannot find from the evidence that its condition contributed materially to the accident.

Done at St. Albans this 24th day of April 1905.

FULLER C. SMITH,

H. S. BINGHAM,

GEORGE T. HOWARD,

Railroad Commissioners.

IN RE JONATHAN ROSS AND WIFE.

Fatal accident at Concord, February 21st, 1905.

A public investigation into the cause of this accident was held at St. Johnsbury on the 8th day of March 1905. The state of Vermont was represented by H. B. Amy, state's attorney for the county of Essex; Harry Blodgett appeared for the St. Johnsbury & Lake Champlain railroad company.

The evidence disclosed the following facts: On the 21st day of February, 1905, at about four o'clock in the afternoon Judge Ross, accompanied by Mrs. Ross, was driving in the town of Concord; as they approached Gould's crossing, so called, on the St. Johnsbury & Lake Champlain railroad a freight train with passenger car attached was also approaching said crossing going toward St. Johnsbury. The highway at this point crossed the track diagonally and Judge Ross was driving in the same general direction as the train was moving. The railroad track for a distance of nearly a mile is plainly visible from the highway near the crossing. From testimony independent of the evidence of the railroad trainmen it was shown that a warning whistle was blown for this crossing. The engineer saw the team approaching the crossing but concluded that his train would reach the crossing first and that no attempt would be made by the driver to cross in front of the train. The horse did not appear to be frightened and the engineer thought was in full control of its driver. The train reached the crossing first. A snow plow had previously been over the road and had winged out a space on either side of the track for a distance of four or five feet. The horse turned in upon this level path, turning to the right and continuing in the same direction as the train. The engineer discovered this and quickly applied the brakes. The sleigh struck the board fence leading from the outer limit of the railroad right of way to the cattle guard and was over-turned against the fourth car from the engine. The occupants were thrown against the cars, and Mrs. Ross was instantly killed. Judge Ross was so severely injured that he died two days later.

The commissioners are unable to say from the evidence whether or not Judge Ross was aware of the proximity of the train. He either did not approach the crossing with due care and was without knowledge of the nearness of the train or he failed to control his horse at the last moment. The inquiry of the commis-

sioners was therefore directed to ascertain if those in charge of the train used every reasonable effort to prevent the accident. A witness who met Judge and Mrs. Ross within sixty rods of the scene of the accident testified that he heard the warning whistle for this crossing; another witness, not in the employ of the railroad company, and who was near the place, also testified to this fact. Both the engineer and fireman testified that the whistle was blown and the bell sounded. The train was stopped immediately at the first indication of danger; it was not running at an unusual rate of speed and the danger of any accident was not apparent until the engine had passed over the crossing.

The commissioners therefore conclude that no act of the St. Johnsbury & Lake Champlain railroad company, its servants or employees contributed in any way to the unfortunate accident.

Done at Rutland, Vt., this 10th day of March, 1905.

FULLER C. SMITH,

H. S. BINGHAM,

GEORGE T. HOWARD,

Railroad Commissioners.

IN RE G. E. GREENE ET ALS.

Accident near East Clarendon, February 26th, 1905.

A public investigation into the cause of this accident was held at Rutland on March 10th and April 14th, 1905. All the commissioners were present. R. A. Lawrence, state's attorney for the county of Rutland, presented the evidence before the commissioners; H. H. Powers and P. M. Meldon appeared for the Rutland railroad company; Butler & Moloney for George E. Greene's administrator and B. B. Stickney for Charles A. Day.

On the 26th day of February at about 10:45 in the evening extra north bound freight with engine No. 422 was proceeding down the grade between Cuttingsville and East Clarendon. The train was made up at Bellows Falls and contained 28 cars, fourteen of which according to the balance of testimony, were equipped with air. At a point about two miles from East Clarendon the train parted and the sections ran together. The van was derailed and tipped over the embankment. Conductor Greene was seriously injured and died some days later; C. A. Day, a brakeman, and S. H. Davis, an engineer, riding in the van were injured.

The evidence did not disclose the cause of the parting of the train; the break doubtless occurred at some point in the train to the rear of the last air car, as the first intimation of any trouble was when the two sections came together. Accidents of this nature can only be averted by the refusal on the part of the company to move cars not fully equipped with air brakes. The rule of the Rutland railroad company, as appeared from the evidence, requires at least fifty per cent. of the cars in any train to be equipped with air. This is in accordance with the act of Congress relating to safety appliances, approved March 2, 1903. The commissioners cannot, therefore, make any order or recommendation respecting the rule adopted by the Rutland railroad company. So long as railroads are permitted to move cars not coupled up and equipped with air accidents of this nature are likely to occur and no order of this board will furnish relief.

Done at St. Albans this 22nd day of May, 1905.

FULLER C. SMITH,

H. S. BINGHAM,

GEORGE T. HOWARD,

Railroad Commissioners.

IN RE ELLEN LYNCH.

Fatal accident at St. Albans, March 29th, 1905.

Pursuant to reasonable notice a public investigation into the cause of this accident was held at St. Albans, Vermont, on the 5th day of April, 1905. All the commissioners were present. Warren R. Austin, state's attorney for the county of Franklin, appeared for the state of Vermont. Alfred A. Hall for the St. Albans street railway company.

At about 3:10 p. m. on the date of the accident a regular car of the St. Albans street railway in charge of F. A. Waite, conductor, and M. J. Bascom, motorman, was proceeding from St. Albans city to St. Albans bay. When nearly midway between these two points the car struck and run over Ellen Lynch and when removed from beneath the car she was dead. The place of the accident was at the west end of the high trestle which is built on a curve and the track, for a considerable distance east of the scene of the accident, is on quite a steep grade.

Ellen Lynch was seen by two or three persons living near the scene of the accident; she was making inquiries as to where certain parties lived. The night was quite dark and she evidently

started east along the railway track instead of taking the traveled track of the highway. When first seen by the motorman she was lying on the trestle between the rails and four or five feet from the westerly end of the trestle.

The evidence showed that she might have stepped out upon the trestle and fallen between the ties; she was apparently unconscious of the approach of the car. The wheels did not pass over her but she was crushed to death beneath the car.

The car was equipped with proper brakes, fenders, and headlight, all in working order. Every effort was made to stop the car which was not proceeding at any unusual speed. As soon as the motorman discovered that the object in front of him was a woman he reversed the power on his car but failed to avert the accident. The commissioners find that no blame can be attached to the St. Albans street railway company or to their servants or employees for the unfortunate accident.

Done at Rutland this 3rd day of May, 1905.

FULLER C. SMITH,

H. S. BINGHAM,

GEORGE T. HOWARD,

Railroad Commissioners.

IN RE H. A. MOODY.

Derailment at Swanton Junction, March 30th, 1905.

A public investigation into the cause of this accident was held at St. Albans on the 11th day of July 1905. W. R. Austin, state's attorney for the county of Franklin, presented the evidence before the commissioners; C. W. Witters appeared for the Central Vermont railway company. The hearing was held before commissioners Smith and Howard.

At about ten o'clock on the evening of March 30th, 1905, regular passenger train No. 16, Rouses Point to St. Albans, was derailed by a misplaced switch at Swanton Junction. Examination of the switch immediately after the derailment showed that it had been left open by some person and that the lantern

displaying the light on top of the switch was badly smoked and the light was burning very low, so that the engineer could not distinguish the light until too late to stop the train. Whether the switch was left open by an employee on some rain which occupied the siding some time before the accident occurred or whether it was opened by some person without authority, is unknown, but it is supposed that some person employed on a freight train threw the switch open from the main line by mistake.

No person was injured, except Mr. Moody, the first brakeman and he was only slightly hurt. The derailment was clearly due to the careless act of some person who threw the switch open; but it might have been possible to have averted the accident if the switch light had been properly cared for, kept clean and burning brightly. The evidence indicated that it was the duty of the section men to keep the switch lights in condition and to light them at night. The testimony of the engineer and other witnesses not in the employ of the road showed conclusively that the light in this switch target on the night of the accident was burning very low and the inside of the lantern was smoked so that only a very dim light was visible. Engineer Taylor testified that he saw the metal target of the switch before he saw the light. Unable to stop, his train ran in on a siding used for storing cars and off a derail on to the ground. The main line at this point is straight and if a good light had been shown from the switch it would have been possible to have stopped the train before it left the derail.

The commissioners are unable to determine from the evidence whether the switch was intentionally left open by some employee on the freight train destined for Montreal which had set off at this point a short time before the accident to allow a south bound train to pass, or whether some person, with intent to do mischief or cause damage, found the switch unlocked and opened it. The condition of the switch light contributed to the accident and the company is in fault in not providing an adequate light.

It is of course the intention of the company to furnish a serviceable lantern for this and every other switch and the evidence does not show that the lantern upon this switch was out of order or unserviceable. The man whose duty it was to clean the lantern and trim the light failed in the performance of this service and the derailment followed. No order that the commissioners can make will secure better or more certain service. It is a matter

wholly within the reach of the company to cure by such methods of discipline as it deems wise to exercise against the offending employees.

Done at St. Albans this 5th day of December, 1905.

FULLER C. SMITH,

GEORGE T. HOWARD,

Railroad Commissioners.

IN RE J. RHODES ET ALS.

Head Collision near West Rutland, April 10th, 1905.

Pursuant to seasonable notice a public investigation into the cause of this accident was held at Rutland on the 3rd day of May 1905, which hearing was adjourned from time to time to accommodate the parties. The state of Vermont was represented by R. A. Lawrence, state's attorney for the county of Rutland; T. W. Moloney appeared for the Delaware & Hudson company.

It appeared from the evidence that the west bound passenger train No. 56 collided with east bound freight No. 747 about one mile west of West Rutland station. No. 56 was due to arrive at West Rutland at 3:49 p. m. At 3.48 operator F. W. Leamy at West Rutland received an order for No. 56 to meet No. 747 at West Rutland. A customer just at that moment engaged the attention of Leamy and he forgot about the order. No. 56 arrived at West Rutland, made the station stop and proceeded west about one mile when it met No. 747 on a slight curve and a collision resulted in which two passengers and three train-men were slightly injured.

The testimony discloses the fact that at West Rutland and other stations in Vermont on the Delaware & Hudson company's railroad train order signals are displayed by the crude and ancient method of sticking a colored flag in a crack in the depot platform, or placing a colored lantern on the platform at night. At West Rutland the station is located a considerable distance from the track and it is necessary for the operator, after he receives an order, to travel seventy-five or a hundred feet to set his signal. This method of displaying train order signals is the extreme limit of crudeness in railroad operation. Had the Delaware & Hudson company provided a modern signal board operated by pulleys leading inside the office the operator could

have displayed the signal by a simple motion of the hand and without leaving his seat at his desk. No interruption would have excused his omission of this duty.

The commissioners find that the primary cause of the accident was the neglect of operator F. W. Leamy to display the signal that would have stopped No. 56 at West Rutland. Every effort to stop the train when the freight was seen approaching was made by the engineer and no blame attaches to any trainman of either No. 56 or No. 747.

It is ordered that the Delaware & Hudson company immediately equip every train order station on its lines in Vermont with a signal board of modern construction and which can be operated from inside the office of the operator and that such signals be installed to the satisfaction of the railroad commissioners of the state of Vermont on or before August 15th, 1905.

Done at Bennington this 5th day of July 1905.

FULLER C. SMITH,

H. S. BINGHAM,

GEORGE T. HOWARD,

Railroad Commissioners.

IN RE MARTIN FLINT.

Fatal accident at West Berlin, May 18th, 1905.

A public investigation into the cause of this accident was held at the office of the commissioners in the state house at Montpelier July 13th, 1905. S. H. Jackson, state's attorney for the county of Washington, appeared for the state of Vermont. C. W. Witters for the Central Vermont railway company; and S. R. Moulton for the relatives of Martin Flint.

The accident occurred at the highway crossing at West Berlin station at about four o'clock in the afternoon of the 18th day of May, 1905. Martin Flint was a peddler about sixty-five years of age and was approaching the crossing just as northbound passenger train No. 5 reached this point. From the testimony of several disinterested witnesses it was clearly established that the usual station and crossing whistles were blown and that the bell was ringing just before the accident happened.

This train did not stop at West Berlin station and the station building is so located that the engineer could not see Flint until

he was nearly upon the crossing. For some distance in the direction from which Flint was coming, the train could be seen approaching from the south, but if Flint was conscious of his danger he gave no sign until he was squarely upon the crossing. Eye witnesses called out to him but he did not look up until engineer Holland blew several short blasts of the whistle to alarm him and then it was too late.

Flint failed to observe the common sense rule to stop, look and listen for the approach of a train at a highway grade crossing. There was no negligence or fault in the operation of the train and the commissioners find that the accident was caused solely by the carelessness of the victim.

Done at St. Albans, Vt., this 24th day of July, 1905.

FULLER C. SMITH,

H. S. BINGHAM,

GEORGE T. HOWARD,

Railroad Commissioners.

IN RE ABEL CAMPBELL ET ALS.

Fatal accident near Swanton, May 25th, 1905.

A public investigation into the cause of this accident was held at St. Albans on the 11th day of July, 1905, by commissioners Smith and Howard. Warren R. Austin, state's attorney for the county of Franklin, appeared for the state of Vermont; C. W. Witters for the Central Vermont railway company.

The evidence showed that on the 25th day of May, 1905, Abel Campbell, Joseph Bushey and Charles Vincelette were returning to Swanton from a fishing expedition; these men were on a hand car which they had taken without leave and at about nine o'clock and twenty-five minutes in the evening they were struck by passenger train No. 16 Rouses Point to St. Albans. Campbell and Bushey were instantly killed and Vincelette fatally injured. The night was dark and very windy and the men had no light upon the hand car. Engineer Taylor of the passenger train testified that the headlight of his engine was lighted but that just previous to the accident he was momentarily engaged in some work about his engine and when he again looked forward upon the track his engine was within fifty or one hundred feet of the hand car. He immediately made an emergency application of the air brakes but

was unable to slow up his train very much before he struck the hand car.

The evidence discloses the fact that this hand car was stored beside the track near Swanton station and was properly chained and locked. Some person, and probably one of the victims of the accident, having a key to the lock secured the hand car for the purposes of the fishing trip without permission of the Central Vermont railway company or any of its employees. The men were upon the track of the Central Vermont railway company without right and were trespassers thereon. The commissioners conclude that they came to their death by reason of their own careless acts and through no fault of the Central Vermont railway company, its servants or employees.

Done at St. Albans, this 24th day of July, 1905.

FULLER C. SMITH,

GEORGE T. HOWARD,

Railroad Commissioners.

IN RE ALBERT PEREAU.

Fatal accident at Montpelier, June 1st, 1905.

Pursuant to seasonable notice a public investigation into the cause of this accident was held at the office of the commissioners in the state house at Montpelier July 13th, 1905. S. H. Jackson, state's attorney for the county of Washington, appeared for the state of Vermont and presented the evidence before the commissioners; J. P. Lamson appeared for the Montpelier & Wells River railroad company; E. M. Harvey for the family of Pereau.

The evidence disclosed the following facts: At about one o'clock in the afternoon of June first, 1905, an extra passenger train left Montpelier on the Barre division and at a highway crossing only one-fourth mile from Montpelier station struck a team driven by Albert Pereau. Mr. Pereau was a teamster about twenty-four years of age and totally deaf. There are several tracks at this crossing and the train was in full view of Mr. Pereau for a considerable distance before he reached the place of the accident. A warning whistle was blown after the train left the Montpelier station and when engineer Rowell discovered the team approaching the crossing he blew an alarm of several short blasts but failed to attract the attention of Mr. Pereau. He then attempted

to stop his train but was unable to do so in time to prevent the accident.

The commissioners find that Pereau did not stop or look for the approaching train and with the defect in his hearing it was negligence not to do so. We find further that the warning signals required by law were sounded at this crossing and that every effort was made by the employees of the Montpelier & Wells River railroad company to prevent the accident and that on blame attaches to said company or its employees.

Done at St. Albans this 24th day of July, 1905.

FULLER C. SMITH,

H. S. BINGHAM,

GEORGE T. HOWARD,

Railroad Commissioners.

IN RE EDWARD LASHAWAY.

Fatal accident near Richmond, June 5th, 1905.

Pursuant to seasonable notice a public investigation into the cause of this accident was held at Burlington on the 12th day of July 1905. A. L. Sherman, state's attorney for the county of Chittenden, appeared for the state of Vermont; C. W. Witters appeared for the Central Vermont railway company; C. A. Plumley for the relatives of Edward Lashaway.

It appeared from the evidence that Edward Lashaway was a passenger on south bound train No. 10 from Burlington to White River Junction; his home was in Hartford, Vermont. At Essex Junction Lashaway engaged in an altercation with two or three parties and as the train proceeded south the quarrel increased in intensity until other passengers in the car became frightened at the prospect of a rough and tumble fight. Conductor Powers interfered and quieted the disturbance but upon his leaving the car the trouble was renewed. After leaving Williston station, conductor Powers again entered the car and taking Lashaway as a ring-leader in the altercation he ordered him to go back to the rear car; Lashaway made no objection but started ahead of conductor Powers, the latter having his hand on Lashaway's shoulder, and a brakeman following behind. When they reached the door of the car Lashaway opened it and as they passed out

upon the platform he made a lunge for the car steps. Conductor Powers caught him by the coat but Lashaway pulled away from him and deliberately stepped off the train. He was thrown against a tie lying beside the track and sustained a fracture of the skull from which injury he afterwards died. At the time the accident occurred the train was running about thirty-five to forty miles per hour.

The commissioners find that the altercation and quarrel taking place in the passenger coach was of such a character that conductor Powers was justified in removing Lashaway from the car and that in doing so conductor Powers used every reasonable precaution to protect Lashaway from any injury. The fact that Lashaway deliberately made an attempt to escape from conductor Powers and voluntarily jumped from the moving train was established by the testimony of eye witnesses other than members of the train crew. The testimony of these eye witnesses, as well as the evidence of conductor Powers and his brakeman, was undisputed. There was some evidence to the effect that Lashaway was more or less under the influence of intoxicating liquor but all the witnesses agreed that he was in condition to properly care for himself and to go through the train from one car to another without assistance.

The commissioners find that the accident was caused by the voluntary act of Lashaway himself and that no blame attaches to the Central Vermont railway company, its servants or employees.

Done at St. Albans, Vt., this 24th day of July 1905.

FULLER C. SMITH,

H. S. BINGHAM,

GEORGE T. HOWARD,

Railroad Commissioners.

IN RE A. J. CROTO.

Fatal accident near Brandon, June 16th, 1905.

A public investigation into the cause of this accident was held at Brandon on the 22nd day of November 1905. All the commissioners were present. R. A. Lawrence, state's attorney for the county of Rutland, appeared for the state of Vermont; P. M. Meldon for the Rutland railroad company.

The evidence of the engineer, who was the only witness who could give direct testimony of the accident and who was the only eye witness, was to the effect that Croto was standing on the side of the railroad track about one fourth mile south of Brandon station. Passenger train No. 54, due at Brandon from the north at about 10 o'clock in the forenoon, was running about 20 miles per hour and when within 10 or 15 feet of where Croto stood beside the track Croto deliberately threw himself across the rail and was run over and instantly killed.

The engineer had no knowledge of such an intention upon the part of Croto until too late to stop his train. The commissioners conclude that no blame attaches to the Rutland railroad company or its employees.

Done at St. Albans, this 2nd day of December, 1905.

FULLER C. SMITH,

H. S. BINGHAM,

GEORGE T. HOWARD,

Railroad Commissioners.

IN RE DENSIL CRANDELY.

Fatal accident at Middlebury, July 12th, 1905.

Pursuant to notice to all parties interested, a public investigation into the cause of this accident was held at Middlebury on the 23rd day of November, 1905. L. C. Russell, state's attorney for the county of Addison, appeared for the state of Vermont and presented the evidence before the commissioners; P. M. Meldon appeared for the Rutland railroad company and Edward B. Crandely, step-father, for the relatives of Densil Crandely.

On the evening of the 12th of July, 1905, Densil Crandely, with other boys of about the same age, were at the railroad station at Middlebury. North bound train No. 59, passenger, stood on the side track while a south bound excursion train passed. Crandely, with one or two other boys, boarded No. 59 for some purpose, but not as passengers. After the excursion train passed No. 59 backed down over the switch, took the main line and proceeded on its way to Burlington. It did not stop at the passenger station and when Crandely attempted to jump off he was drawn under the train and injured so severely that death ensued the following day. A number of witnesses gave substantially the

same evidence regarding the details of the accident. Crandely, so far as the evidence discloses, had no business on No. 59 and was a trespasser; he was without even the license to go upon or remain on the train, for the evidence showed that some trainman told the boys to either get off before the train started or to go inside the car and informed them that the train would not stop at the station. At least one other boy, Philip Vassau, jumped in safety just before Crandely attempted to get off. Crandely in some manner was thrown to the platform and rolled under the train. Some of the witnesses testified that the train was passing the depot at a speed of fifteen miles per hour. The train, in the judgment of the commissioners, was not improperly operated. The station work was done while No. 59 stood upon the side track and after the excursion train had passed No. 59 was ready to proceed to Burlington. In order to make the main line it backed down to a switch a short distance south of the passenger station and started north. Crandely rode down over the switch and back to the station not as a passenger but to secure a short ride and in the playful spirit of boys of his age. In attempting to alight from the moving train he paid the penalty of his careless act.

No order or recommendation which the commissioners can make will tend to prevent this class of accidents. It only remains to be said that the investigation showed that no blame can be attached to the Rutland railroad company or its servants or employees.

Done at St. Albans this 27th day of November, 1905.

FULLER C. SMITH,

H. S. BINGHAM,

GEORGE T. HOWARD,

Railroad Commissioners.

IN RE RICHARD WALLACE.

Fatal accident at Rutland, August 2nd, 1905.

Upon due notice to all parties interested, a public investigation into the cause of the fatal accident to Richard Wallace was held at Rutland on the first day of November, 1905. In the absence of the state's attorney for the county of Rutland, Joseph C. Jones appeared for the state of Vermont and presented the

evidence before the commissioners. T. W. Moloney and Charles L. Howe appeared for the Rutland street railway company. Relatives of the deceased were represented by George Lawrence. Commissioners Smith and Bingham were present.

On the second day of August 1905 Richard Wallace was engaged as trackman working upon the track of the Rutland street railway company near Temple crossing, so called, between the city of Rutland and Centre Rutland. Four or five men were working with Wallace and all were under the charge of David Crane. The Rutland street railway company had equipped a flat car with a large tank and sprinkling apparatus used for the purpose of sprinkling the road bed with a mixture designed to kill weeds and grass. This flat car was not equipped with any fender or guard and had no motor; while in use it was designed to be pushed in front of a motor car. At the time of this accident this flat sprinkling car, pushed by a motor car, was proceeding from Rutland to West Rutland. Just as it approached the scene of the accident a freight train on the track of the Delaware & Hudson company, only a few feet distant, was passing. Wallace did not hear the approach of the sprinkling outfit and all effort to attract his attention by those who saw and realized his danger proved unavailing. He was struck, run over and fatally injured.

The tank upon the sprinkling car occupied substantially the entire width of the car and was about five feet in height. Thomas Roach, an employee of the Rutland street railway company was standing on the front end of the sprinkling car for the purpose of looking out for obstructions and to signal the motor man if occasion required. The tank itself completely obstructed the view of the motor man and he was entirely dependent upon a signal which he might receive from Mr. Roach. The evidence fairly established the fact that if the bell or gong gave warning of the approach of the sprinkling car the noise of the passing train on the steam railroad track prevented the warning from being heard.

Roach testified that when he saw Wallace in danger of being struck by the car he signalled to Thomas Sheridan, the motor man, to stop. Roach first signalled to slow down and afterward gave the signal to stop. Sheridan, the motor man, testified that when he received the signal to stop he did not know the reason for it but that he stopped as soon as he could with the use of the hand brake on the motor car, but that he did not reverse the power

because he did not think it was necessary. The grade at this point is descending from 1 to 1.3%.

The commissioners conclude that the accident was caused by the faulty equipment of the sprinkling car and the improper operation of it, and because of the fact that the noise of the passing train on the Delaware & Hudson company's track prevented Wallace from hearing the approach of the sprinkling car.

No. 73 of the acts of 1898 provides that "street railway companies operating cars by any motive power other than horse power shall equip their cars, when in use, with such fenders and guards as may be required by the board of railroad commissioners." Section 2 of the same act provides that the railroad commissioners shall notify in writing street railway companies of its requirements under this law. The Rutland street railway company had, previously to the accident, been required by the railroad commissioners of this state to equip all of its cars with fenders but had neglected to equip this sprinkling car with such safety devices. The commissioners are of the opinion that the practice of pushing any car, not equipped with power, ahead of a motor car is an improper operation of the road. At the last biennial session of the general assembly the commissioners caused to be introduced a bill prohibiting such operation of cars but it failed to become a law.

Under the provisions of section 6 of Act No. 68 of the Acts of 1902 the commissioners are empowered to make and do hereby make the following order upon the Rutland street railway company.

It is ordered that on and after January 1st, 1906, the Rutland street railway company cease to run or operate any car not provided with fenders according to law or to run or operate any car, not equipped with brakes and power, in front of any motor car without the permission of the railroad commissioners of the state of Vermont in writing first had and obtained.

Done at St. Albans, Vermont, this eighteenth day of November 1905.

FULLER C. SMITH,

H. S. BINGHAM,

Railroad Commissioners.

IN RE F. W. WESTON AND SON.

Fatal accident near Charlotte, August 8th, 1905.

Pursuant to notice to all interested parties a public investigation into the cause of this accident was held at Burlington on the 27th day of October 1905. All the commissioners were present. A. L. Sherman, state's attorney for the county of Chittenden, appeared for the state of Vermont and presented the evidence before the commissioners. P. M. Meldon appeared for the Rutland railroad company and L. L. Shedden for W. V. Hammond, administrator of F. W. Weston's estate.

The evidence established the following facts: On the afternoon of August 8th, 1905, at about the hour of half-past four o'clock F. W. Weston and his son Leslie were driving south toward a highway grade crossing located about one mile north of Charlotte station. South bound passenger train No. 56 on the Rutland railroad was also approaching the highway crossing and Weston's team was struck and both he and his son Leslie were instantly killed. The evidence of the engineer, who was the only person on the train who saw the team as it approached the crossing, tended to show that the horse was running and that either the occupants of the wagon had lost control of the horse or were endeavoring to get over the crossing ahead of the train. Two other witnesses, W. S. Benton and Harry Benton, were in a team following the Westons and twenty-five or thirty rods behind them; these witnesses also testified that Weston's horse was running as it approached the crossing. From the testimony of all the witnesses the commissioners find that the whistle for the crossing was sounded at the whistling post some eighty rods north of the crossing. The view of the track and of the approaching train was obstructed by the farm buildings of one Bora and by an orchard which is between the highway and the railroad track to the south of the farm buildings. The train was running 35 or 40 miles per hour. The engineer testified that he did not see the Westons until he was within ten rods of the crossing and that Weston's team was then within 50 feet or less of the crossing. He immediately applied the emergency brakes and blew an alarm whistle, although other witnesses did not hear or notice the danger whistle. All the witnesses agree that the Westons made no effort to stop the horse.

Ordinary care and prudence on the part of persons approach-

ing a railroad crossing at grade require them to look for the approach of a train. To drive upon a crossing without exercising any of the senses of sight or hearing is negligence. The evidence in this case warrants the finding that the Westons deliberately undertook, with full knowledge of the presence of the train, to pass the crossing ahead of the train. But if they merely attempted to cross without stopping, looking or listening for the approach of a train they were in fault themselves for the accident which resulted fatally to both of them. The operation of the train over this crossing was proper in every sense of the word. So long as highway crossings exist there will be danger to persons passing; but trains cannot stop or slacken their speed to accommodate travel upon the highway; the latter can protect itself if the rule of common prudence is observed.

The commissioners conclude that the accident occurred by reason of the careless acts of both the Westons and through no fault of the Rutland railroad company.

Done at St. Albans this 2nd of December, 1905.

FULLER C. SMITH,

H. S. BINGHAM,

GEORGE T. HOWARD.

Railroad Commissioners.

IN RE JOHN PARIZO.

Fatal accident near Swanton Junction, August 6th, 1905.

A public investigation into the cause of this accident was held at St. Albans on the 6th day of December, 1905, by commissioners Smith and Bingham; Warren R. Austin, state's attorney for the county of Franklin, appeared for the state of Vermont and presented the evidence before the commissioners; C. W. Witters appeared for the Central Vermont railway company.

The evidence clearly established the fact that Parizo was seen near the place of the accident and a few hours before it occurred in an intoxicated condition. He was discovered by some employees of a lime kiln company; he was conscious but made no statement as to how the accident occurred. His injuries proved fatal.

Parizo was a trespasser upon the tracks of the railway company and came to his death by reason of his own carelessness. The commissioners do not find that the accident happened through

any fault of the Central Vermont railway company, its servants or employees.

Done at St. Albans this 12th day of December, 1905.

FULLER C. SMITH,

H. S. BINGHAM.

Railroad Commissioners.

IN RE PATRICK HURLEY.

Fatal accident at North Pownal, August 9th, 1905.

Upon due notice to all parties in interest, a public investigation into the cause of this accident was held at North Pownal on the 9th day of November, 1905.

W. R. Daley, state's attorney for the county of Bennington, appeared for the state of Vermont and presented the evidence before the commissioners. M. P. Snyder, assistant division superintendent, and P. S. Moore, attorney, appeared for the Boston & Maine railroad. All of the commissioners were present. It appeared from the evidence introduced before the commissioners that on the morning of the 9th of August, 1905, Patrick Hurley was in the discharge of his employment as section foreman on the Boston & Maine railroad near North Pownal. He was at work on the east bound track with several assistants. Extra work train No. 998, consisting of a flat car, upon which was a pile driver and stationary engine, a locomotive and a freight van, was at work at a point about one-fourth or one-half mile easterly of the point where Hurley and his assistants were employed. An east bound train arrived at North Pownal station and extra No. 998 was signalled to back up to North Pownal station and clear the east bound track. The conductor of extra No. 998 signalled for the engineer to back up and jumped aboard the flat car, as did also the brakeman, William P. Davry. As the train proceeded toward North Pownal station the freight van was ahead, next came the locomotive and then the flat car with the pile-driver.

Conductor E. K. Brownell neglected to locate his brakeman or any other person upon the front of the freight van, while backing up to North Pownal, as is plainly required by the rules of the Boston & Maine railroad.

The evidence disclosed the fact that Davry was a new brakeman with only ten days experience to his credit and it is quite

probable that he failed to realize the importance of protecting the front end of the train under such circumstances. Conductor Brownell claims that until after the train started he supposed Davry was performing that duty? But it was the duty of Brownell to *know* that his train was properly protected under the rules and not to leave to conjecture so important a precaution. When the work train reached the point where Patrick Hurley was at work a freight train on the west bound track was passing and Hurley did not hear the approach of the work train; he was struck and so severely injured that death resulted a few hours after the accident.

The commissioners conclude that this accident was caused by reason of the joint omission or neglect of both conductor Brownell and brakeman Davry to fully observe the rule of the Boston & Maine railroad requiring the protection of the front end of the train while backing. No order which this commission may make can insure the observance of this important rule. It must be enforced by salutary discipline exercised by the corporation itself.

Done at St. Albans, Vermont, this seventeenth day of November, 1905.

FULLER C. SMITH,
H. S. BINGHAM,
GEORGE T. HOWARD,
Railroad Commissioners.

IN RE WILLIAM POPE.

Fatal accident at Newport, August 14th, 1905.

Pursuant to notice commissioners Bingham and Howard held a public investigation into the cause of this accident at Newport on the 21st day of June 1906. E. A. Cook, state's attorney for the county of Orleans, appeared on behalf of the state of Vermont, and Young & Young for the Boston & Maine railroad. The evidence showed that William Pope walked from the highway running parallel to the Boston & Maine railroad on to the track in front of an approaching train and was so seriously injured that death ensued some hours afterwards. The accident occurred at a point where the highway in the town of Derby runs parallel to the railroad track and close to it; there is no fence between the track and the highway and pedestrians for years have used the

railroad track as a highway in order to save a distance of a very few rods in reaching Newport village. At the time the accident occurred, which was about 4 o'clock in the afternoon, Pope was seen by the engineer walking in the highway at a distance of three or four hundred feet; the engineer being on the farther side of the engine did not see Pope step on to the track and the first knowledge he had of the accident was when his fireman called out to him that he had hit a man. The speed of the train was not excessive and there was no failure of duty upon the part of the Boston & Maine railroad or its employees.

No order can be based upon this investigation but the town of Derby and the Boston & Maine railroad ought to remedy the lack of protection to the public and the commissioners recommend that the Boston & Maine railroad erect a board fence not less than six feet in height between its right of way and the highway in the town of Derby from a point commencing at the northerly end of the bridge over the Clyde river and extending northerly to or beyond the first under-pass. The necessity of such a fence is so apparent that there should be no need of any further action on the part of this commission; but upon failure to carry out this recommendation the commissioners will deem it to be their duty to take such action as will result in the protection of the public from the dangers that menace careless pedestrians.

Done at Bennington, Vt., this 4th day of August 1906.

H. S. BINGHAM,

GEORGE T. HOWARD,

Railroad Commissioners.

IN RE HARRIS LINDSLEY AND EVELIN P. WILLING.

Fatal accident near Bennington, August 14th, 1905.

A public investigation into the cause of this accident was held at Bennington on the 21st day of November 1905.

PRESENT: Commissioners Smith, Bingham and Howard; C. H. Mason acting as state's attorney for the county of Bennington; H. H. Powers and P. M. Meldon for the Rutland railroad company; W. R. Daley and Van Sinderin Lindsley for the estate of Harris Lindsley and estate of Evelin P. Willing.

The commissioners visited the scene of the accident and numerous witnesses were examined and from the evidence the following facts were found:

On the 14th day of August Harris Lindsley and Evelin P. Willing were on the road from Bennington to Manchester riding in an automobile driven by one J. A. Adamson. The fourth occupant of the automobile was A. Cramer. The machine approached Pike's crossing, so called, at a rapid rate of speed just as passenger train 366, North Bennington to Bennington, approached from the West. A collision occurred on the crossing and Lindsley and Miss Willing were instantly killed. Adamson and Cramer escaped with slight injuries. Engineer William Sibley and conductor M. J. Belden were also slightly injured by the derailment of the train. The testimony of several witnesses who saw the automobile approach the crossing established beyond any doubt the fact that the machine was running at a high rate of speed and that the occupants were all of them, unaware of the approach of the train. Several witnesses, independent of the train crew, testified that the whistle was sounded for the crossing. The engine, in accordance with the usual practice in operating this train, was backing towards Bennington. There was no pilot on the tender and the view of the crossing from the engineer's position in the cab was obstructed to a certain degree by the tender and by the fact that backing the engine placed the engineer upon the inside of the curve and upon the side opposite from which the automobile was approaching. It is clearly apparent that if the engine had been headed towards Bennington and the engineer had been upon the watch as he approached this crossing he would have seen the danger in time to have appreciably slowed the speed of the train and the automobile would have passed over in safety.

But the occupants of the automobile were in fault in approaching this crossing without stopping, looking and listening for a train. The chauffeur testified that he did not know that he was approaching a grade crossing. It was his business to know. No person who operates an automobile is justified in attempting to cross over a railroad track at grade without looking for the approach of a train and the commissioners cannot find that Adamson and the occupants of the automobile exercised reasonable care and prudence in attempting to cross the track of the Rutland railroad company at the time the accident occurred. From the testimony of the chauffeur himself the machine was running at least twenty miles per hour and as it approached the crossing there is a considerable

rise in the highway and the speed of the machine was accelerated to make this rise. The chauffeur was not licensed to operate an automobile in Vermont and was exceeding the limit of speed permitted by section 8 of Act. No. 86 of the laws of 1904.

The Rutland railroad company at the time of the accident was operating its train in an unsafe manner. To draw a train with engine backing is a dangerous practice and is excusable only in cases of necessity. But the Rutland railroad company from choice has elected to so operate the engine on this train for more than two years past. There are facilities at North Bennington for turning the engine but upon the plea of congested yards the "Y" has been used for storing cars and not left open for the uses for which it was originally intended. In the judgment of the commissioners no adequate reason exists why the Rutland railroad company should not turn its engine at North Bennington and run its train on the Bennington branch as they do upon the main line with engine head on.

The conclusion of the commissioners is that this accident happened primarily by reason of the careless act of the chauffeur, J. A. Adamson, who negligently approached the crossing without using any of his senses to learn if a train was approaching in either direction and at a rate of speed prohibited by the law of this state. The commissioners further find that the Rutland railroad company was operating its train in an improper manner by backing the engine at the head of the train and was therefore in partial fault.

It is therefore ordered that on and after the tenth day of January 1906 said Rutland railroad company cease to operate its passenger and freight trains on the Bennington branch except with the engine ahead and headed in the direction in which the train is to proceed, unless permission in writing to otherwise operate its trains on the Bennington branch is first had and obtained of the board of railroad commissioners of the state of Vermont.

Done at Montpelier, Vermont, this 26th day of December, 1905.

FULLER C. SMITH,
H. S. BINGHAM,
GEORGE T. HOWARD,
Railroad Commissioners.

IN RE W. A. SHATTUCK.

Fatal accident near Williamsville, August 28th, 1905.

A public investigation into the cause of this accident was held at Brattleboro by commissioners Bingham and Howard on the 8th day of November 1905. H. D. Ryder, state's attorney for the county of Windham, appeared for the state of Vermont; C. W. Witters for the Central Vermont railway company; C. C. Fitts for the estate of W. A. Shattuck.

This accident occurred on August 28th, 1905, during the time when extensive repairs were in progress upon the railroad between Brattleboro and South Londonderry. A short time previous the gauge of the road had been widened from three feet to standard gauge and the work of ballasting, shouldering and reducing curves was in progress. This work made the road very rough and the operation of trains over it was attended with more or less danger. Shattuck was the engineer of a mixed train running from Brattleboro to South Londonderry and was, at the time of the accident, entirely familiar with the condition of the track. Near the point where the accident occurred, his train became stalled. It was cut in two and one-half taken on to Williamsville. Shattuck returned for the other half of his train and soon after starting the embankment gave away, the track slid off and the engine tipped over; Shattuck was caught in the cab and steam from a broken pipe so scalded him that he died from the effects of his burns. Fireman J. LaForest was also slightly injured.

There was evidence that the rails at this point were of iron and that they were not properly connected at the joints; the commissioners are satisfied, however, that the derailment was caused by the faulty condition of the filling under the track, and not to the rails themselves. This was due to the changes made necessary by the widening of the gauge and the work of widening the shoulder and ballasting the track. The commissioners are not inclined to censure the company very much for the effort to keep the road in operation during the time this work was being done. The track was manifestly insecure at the point where the accident occurred but knowledge of its unsafe condition cannot be said to have come to the company previous to the date of the derailment. The work of rebuilding the main line has been continued until now it is substantially completed and the probability of a similar accident is considered remote. There were vexatious delays attending

the completion of the work and during the entire time it was going on there was more or less danger involved in operating the road, and of this Shattuck had knowledge.

The commissioners find that the accident happened by reason of the insufficiency of the embankment carrying the roadbed, and as this has been substantially repaired since the accident no order is necessary.

Done at Montpelier, Vt., this 4th day of January 1906.

H. S. BINGHAM,

GEORGE T. HOWARD,

Railroad Commissioners.

IN RE JOHN MOODY.

Fatal accident near Leicester Junction, September 1st, 1905.

A public investigation into the cause of this accident was held at Middlebury on the 23rd day of November 1905, all the commissioners being present. L. C. Russell, state's attorney for the county of Addison, appeared for the state of Vermont; P. M. Meldon for the Rutland railroad company.

John Moody was a wayfaring man, deaf and dumb. On the 1st day of September 1905 he called at the dwelling house of one Wilson in the town of Leicester and near where the accident occurred. He asked for something to eat and after his meal started for the railroad track and proceeded south.

Passenger train No. 56, Burlington to Rutland, struck him about one mile north of Leicester Junction and Moody was fatally injured. Engineer Sullivan testified that he saw Moody on the track ahead of him, but concluded that before he reached him Moody would get off the track. He had just whistled for a highway crossing and before he reached Moody he blew an alarm whistle. Even that failed to arrest Moody's attention and an application of the emergency brakes failed to stop the train in time to avoid the accident.

The accident occurred because a deaf and dumb man made a highway of a railroad track. Moody was a trespasser upon the

company's right of way. No fault is attributable to the Rutland railroad company or to its employees in charge of the train.

Done at St. Albans this 27th day of November, 1905.

FULLER C. SMITH,
H. S. BINGHAM,
GEORGE T. HOWARD,
Railroad Commissioners.

IN RE CHARLOTTE FAIRCHILD.

Fatal accident near North Bennington, September 13th, 1905.

The commissioners held a public investigation into the cause of this accident at Bennington on the 21st day of November 1905. W. R. Daley, state's attorney for the county of Bennington, appeared for the state of Vermont; H. H. Powers and P. M. Meldon appeared for the Rutland railroad company.

The evidence disclosed the fact that on the 13th day of September 1905 Charlotte Fairchild, about 65 years of age, was walking towards North Bennington station on the track of the Rutland railroad company; she was clearly a trespasser upon the railroad right of way, not being at or near a highway crossing. Relatives testified that she was quite hard of hearing and that she had been warned to keep away from the railroad track.

The engineer testified that he blew the whistle for a highway crossing a short distance North of where Miss Fairchild was walking on the track; that he saw her and supposed she would step off before his train got near to her; that he finally blew several short blasts of the whistle to attract her attention and then immediately applied the emergency brakes. She did not hear or heed the approach of the train and it was impossible to stop in time to avoid the accident. The commissioners find that the accident happened without blame of the Rutland railroad company or its employees, but rather because of the careless act of Miss Fairchild herself.

Done at St. Albans this 4th day of December 1905.

FULLER C. SMITH,
H. S. BINGHAM,
GEORGE T. HOWARD,
Railroad Commissioners.

IN RE THOMAS GABOLLONI.

Fatal accident at Barre, August 16th, 1905.

A public investigation into the cause of this accident was held at the office of the commissioners at Montpelier on the 26th day of October 1905, before commissioners Smith and Bingham. S. H. Jackson, state's attorney for the county of Washington, appeared for the state of Vermont and presented the evidence before the commissioners. C. W. Witters appeared for the Central Vermont railway company. F. L. Laird for relatives of Gabolloni.

On the 16th day of August 1905 a work train was passing out of a spur track on to the main line of the Central Vermont railway between the house occupied by said Gabolloni and a granite working shed. The track at this point is upon a slight curve and Gabolloni was walking on the inside of the curve near the centre of the track. He had just previously gone from his house to his barn and when returning had taken the railroad track instead of the usual path between the barn and the house. The distance is somewhat greater by way of the track and there was no good reason why he should have chosen the track as a highway; he was a trespasser and must have had full knowledge of the danger which attended his course. The engineer and other witnesses testified that the bell was rung as the engine, with one or two cars attached, passed over the track; but the engineer failed to see Gabolloni and the latter failed to note the approach of the train. In consequence Gabolloni was struck and instantly killed. The engine and train were properly operated and the commissioners conclude that Gabolloni came to his death by reason of his own careless act. There was no legitimate excuse for his presence upon the track and if he went there he was charged with the exercise of that degree of caution which would protect him from being struck by a train. In such localities trains are invariably operated at a very slow rate of speed, but the noise from granite sheds in the vicinity is likely to prevent the ringing of engine bells or the noise of a train from being heard. Gabolloni was acquainted with these facts and all of his surroundings. No blame can be attached to the Central Vermont railway company or its employees.

Done at St. Albans this 2nd day of December 1905.

FULLER C. SMITH,

H. S. BINGHAM,

Railroad Commissioners.

IN RE CHARLES JACKSON.

Personal injury near Montpelier Junction, October 6th, 1905.

Pursuant to notice a public investigation into the cause of this accident was held at the office of the commissioners in the state house at Montpelier on the 7th day of December 1905. All the commissioners were present. S. H. Jackson, state's attorney for the county of Washington, appeared for the state of Vermont; C. W. Witters for the Central Vermont railway company.

The evidence showed that on the evening of October 6th, Jackson was seen walking on the track, near where he was found the next morning, in an intoxicated condition. He was warned by several persons to leave the track, but made no intelligible reply. On the morning of October 6th he was found sitting upon the abutment of a railroad bridge with both feet cut off and with a wound upon the head. He was still conscious and was taken to the hospital at Montpelier where he afterwards recovered. It is not known what train struck Jackson. His attendance could not be procured before the commissioners and it is claimed upon upon the part of the company that none of their employees know anything about the accident. The commissioners conclude that Jackson was a trespasser and that the accident happened because of his own neglect and carelessness.

Done at St. Albans this 9th day of December, 1905.

FULLER C. SMITH,
H. S. BINGHAM,
GEORGE T. HOWARD,
Railroad Commissioners.

IN RE COLLISION.

Collision on Electric Railway at Burlington, October 7th, 1905.

A public investigation into the cause of this collision was held at Burlington on November 3rd, 1905 by commissioners Smith and Bingham. A. L. Sherman, state's attorney for the county of Chittenden, appeared for the state of Vermont and presented the evidence before the commissioners; the Burlington traction company was represented by A. G. Whittemore.

On the evening of October 7, 1905 a regular car No. 16 left Post Office square at ten o'clock and thirty-five minutes. It

proceeded towards Winooski via the lower road to a switch or turnout beyond Athletic Park, so called, where it stopped on the main line to meet a car from Winooski bound to Burlington.

Extra car No. 12 with motorman Frank B. Hunt, left Post Office square about two minutes after regular car No. 16 and proceeded towards Winooski. Both these cars were heavily loaded with people from the audience at the opera house. When car No. 12 came in sight of the lights of car No. 16, which was standing at the turnout herein-before mentioned, all efforts to bring the car to a stop failed and a collision resulted in which sixteen persons were more or less seriously injured.

Car No. 12 was equipped with hand brakes which, according to the testimony, were in good working order. Motorman Hunt testified that he applied the brakes but the wheels slipped; he then applied sand to the rails, but the wheels still slipped. Then he reversed the power but failed to make the stop in time to avoid the collision. The slipping or sliding of the wheels was attributed to leaves from trees which had fallen upon the rails and which is a well known cause of greasy or slippery rails.

If there were no other facts brought out by the evidence introduced before the commissioners, this cause might reasonably account for the accident. But it appears that motorman Hunt and his conductor left Post Office square without receiving any orders from any source whatever directing them to meet any car at the turnout where this accident occurred. The testimony showed that on occasions when an entertainment is being held at the opera house in Burlington it is sometimes the custom for the Military Post cars to run one switch beyond the usual meeting place. By the regular schedule, car No. 16, which left Post Office square at 10:35 p. m. would meet the Military Post car at a turnout near the Porter screen factory; and if extra No. 12 was following on the time of No. 16 it would also meet the Military Post car at the last named turnout. No orders changing the regular meeting place were given either to the conductor or motorman of extra No. 12. Motorman Frank B. Hunt testified that his experience as a motorman had been limited to one year's service as a spare man and a regular run during the summer of 1905 down to about September 20th. He made oath to the fact that he became a motorman and was employed as such by the Burlington traction company after an apprenticeship covering a period of only two weeks during which time he received instructions from three different men.

The commissioners are of the opinion that these facts enter largely into the cause of the accident. It appeared that cars were passing over this portion of the track where the accident occurred about every twenty minutes during the entire day and evening of October 7th; that the grade of the track from Athletic Park to the turnout is descending; that extra No. 12 had at least 55 passengers; that quite a number of these passengers were upon the front platform with the motorman. Weighing all this testimony intelligently it would seem that if the motorman of extra No. 12 had received orders to meet the Military Post car at the turnout below Athletic Park and had expected that regular car No. 16 would be standing upon the main line at the turnout he would have brought his car under control at the head of the grade near the entrance of Athletic Park and slowed its speed sufficiently to have made an easy stop before colliding with No. 16. The claim that fallen leaves upon the track rendered the rails so slippery that it was impossible for the motorman to control his car has but little probative force in the minds of the commissioners. Motorman Hunt had been operating a car the same day and evening and knew these conditions and the kind of rails he was operating upon. Moreover fallen leaves upon a track where cars are passing every twenty or thirty minutes are not a source of such conditions as make it impossible to control a car, particularly where sand is used upon the rails as in this case.

The particular service which Hunt was called upon to perform by the superintendent of the company was a dangerous service. It was to run a night car, heavily loaded with passengers, only a short distance behind another car and to meet an opposing car at an unusual place. Such service required an experienced motorman running under explicit orders given to both him and his conductor in writing. Electric traction is a dangerous business even in the hands of experienced men. The power used, the weight and speed of the cars and the location of the road through the streets of a city, with its single track, all contribute to the danger involved in the operation of electric cars and the carriage of passengers; and yet here is an instance where an extra service was put in operation and a motorman, whose training and experience fitted him for only the least hazardous duty, was called upon to act without orders of any kind and sent on a trip where the regular schedule, with which he was familiar, was to be superceded. Railroad commissioners would fail in the performance of their duty if censure is not placed upon the company operating a road

in such a manner. The service rendered, or attempted, by Hunt required technical skill and experienced judgment, supplemented by written orders showing the meeting places and given to both him and his conductor.

The lives of 55 passengers were entrusted to the operatives of the car and every precaution should have been taken to insure their safety.

It is fair to say that the Burlington traction company is not the sole offender in the practice of giving a dangerous employment to men lacking experience and of operating cars without specific orders. The observation of the commissioners has established the fact that nearly every other street railway company is guilty of the same rash practice; but with rare good fortune other companies have escaped any serious disaster.

In the last bi-ennial report of this commission to the general assembly attention was called to the dangers involved in the operation of electric railways and the commission predicted that accidents would eventually result as a penalty for the neglect of the state to throw around the operation of electric cars the safeguards called for by the dangerous character of the service. No rules or regulations or orders that this commission is empowered to make under existing law will restrain electric railway companies from giving employment to incompetent operatives; and until the general assembly of Vermont awakes to the necessity of corrective legislation the public must yield its safety into the hands of unskilled men who attempt the business of controlling a very dangerous power.

Done at St. Albans, Vt., this 8th day of December 1905.

FULLER C. SMITH,
H. S. BINGHAM,
GEORGE T. HOWARD,
Railroad Commissioners.

IN RE DAVID GILLSEPIE.

Fatal accident near Northfield, November 8th, 1905.

Pursuant to notice to all the parties in interest a public investigation into the cause of this accident was held at the office of the board in Montpelier on the 7th day of December 1905. The commissioners were all present. S. H. Jackson, state's attorney

for the county of Washington, appeared for the state of Vermont; C. W. Witters for the Central Vermont railway company and C. A. Plumley for the relatives of David Gillespie.

On the morning of the 8th day of November 1905 the dead body of David Gillespie was found beside the Central Vermont railroad track about one half mile north of Northfield station. So far as can be learned no trainman or employee of the railway company saw him or had any knowledge of the accident.

Gillespie was seen at Northfield about two o'clock the same morning and stated that he was going to walk home; he lived at Northfield Falls. It is supposed that he either waited at Northfield and boarded a passing train and attempted to get off where he was found, or that he walked along the track and was struck by a passing train. No evidence was introduced from which a conclusion can be drawn respecting the manner in which the accident occurred. Gillespie was undoubtedly a trespasser upon the train or track of the company and the commissioners conclude that no blame attaches to the Central Vermont railway company for the accident.

Done at St. Albans this 12th day of December 1905.

FULLER C. SMITH,

H. S. BINGHAM,

Railroad Commissioners.

IN RE J. TIMINSKI.

Fatal accident at West Rutland, November 3rd, 1905.

A public investigation into the cause of this accident was held at Rutland on the 24th day of November 1905, commissioners Smith and Bingham being present. George E. Lawrence, representing the state's attorney of Rutland county, introduced the evidence before the commissioners. T. W. Moloney appeared for the Delaware & Hudson company and E. D. Maguire for the estate of J. Timinski.

The evidence disclosed the fact that on the 3rd day of November 1905 Timinski was walking along the sidewalk on the westerly side of the highway and towards the Delaware & Hudson company's railroad track at a point in the village of West Rutland just north-westerly of where the present depot now stands. A freight train was approaching the crossing from the east running

about 30 miles per hour. The testimony fairly established the fact that the whistle was blown at a distance of about 80 to 100 rods easterly of this crossing and that the bell was ringing continuously until this crossing was passed. After Timinski had approached within 20 or 30 feet of the crossing his view of an approaching train in either direction was unimpeded; the track is upon a tangent for nearly a mile in either direction. Workmen on the track a few feet westerly of the crossing endeavored to warn Timinski of his danger but he did not hear or heed them. The testimony showed that Timinski was apparently unconscious of the approaching train until he was actually upon the ends of the ties; before he could turn back he was struck and killed.

E. Beatty, engineer, testified that he did not see Timinski until he was close to the crossing; he had no thought that he would step on to the track until his engine was within 40 or 50 feet of where Timinski was struck. It was then too late to stop or slow his train, although he immediately applied the emergency brakes.

The commissioners conclude that Timinski came to his death by reason of his own careless act. To approach a railroad crossing on foot or by team without looking or listening for the approach of a train is nothing short of negligence. The exercise of even the most ordinary care and prudence would have disclosed the approaching train. The train was being properly operated by those in charge of it and the commissioners find that no blame attaches to the Delaware & Hudson company or its employees for the accident which cost Timinski his life.

Done this 25th day of November 1905.

FULLER C. SMITH,

H. S. BINGHAM,

Railroad Commissioners.

IN RE S. R. COLBY.

Derailment near Barre, October 2nd, 1905.

Pursuant to notice a public investigation into the cause of this accident was held at the office of the commissioners in Montpelier on the 7th day of December 1905 and on the 21st day of December 1905. Present, the commissioners; S. H. Jackson, state's attorney for the county of Washington, for the state of

Vermont; C. W. Witters for the Central Vermont railway company.

On the day of the accident train No. 57 from Williamstown to Montpelier was derailed near the switch where the Williamstown branch leaves the line between Montpelier and Barre. A freight car and the baggage car went off the embankment and tipped over. The engine and passenger coach did not leave the track. Conductor Colby sustained a fractured leg; no other person was injured.

The evidence showed that at the point where the wheels left the rails there was a slight curve and the marks on the ties indicated that the wheels climbed the rails on the outside of the curve. The rails at the place where the first wheel marks showed upon the ties were not displaced; the engine passed over in safety and the testimony tended to show that the trucks of the freight car first left the rails and were followed by the trucks of the baggage car and the forward trucks of the passenger coach. A number of the ties were crushed and broken, two or three rails were torn up and the freight and baggage cars finally went over the embankment. The testimony of several witnesses showed that the road-bed on the Williamstown branch along where the derailment occurred was in very poor condition; decayed ties were numerous; ballast was entirely lacking, other than the ordinary soil, and the shoulder on the side of the embankment was insufficient and insecure. But it was fully established that the cars left the rails a hundred feet or more from the place where the track was torn up and that at the point where the marks of the wheels first showed upon the ties the rails were in place after the accident; the gauge was standard.

This fairly shows that the derailment was not due to the rails spreading because of rotten ties. No substantive proof was introduced that can be said to establish the actual cause of the derailment and the commissioners are unable to assign the cause. The speed of the train was not excessive but a low joint may have caused a lurch sufficient to carry a wheel over the rail.

From a personal inspection of the Williamstown branch a short time previous to the accident and from the evidence introduced at the hearing the commissioners are convinced that this section of road is in urgent need of very substantial repairs. The entire line from Montpelier to Barre and Williamstown should be ballasted and surfaced. To insist upon this being done during the season of 1905 when the company was engaged in the work of widening the gauge of the line from Brattleboro to South London-

derry and building the Bethel granite road seemed to be impracticable, but the attention of the management to the condition of the Williamstown branch is sharply directed by the derailment of October 2nd. Work upon the improvement of this branch should begin early the coming season and, if necessary, the commissioners will again direct the attention of the company to this matter. No order that can be made now can be complied with during the winter season. It is hoped that none will be necessary, but that the management will recognize the necessity of thorough repairs and provide for them without further delay.

Done at Montpelier this 4th day of January 1906.

FULLER C. SMITH,

H. S. BINGHAM,

GEORGE T. HOWARD,

Railroad Commissioners.

IN RE JOHN REDDY OR JOHN REAGAN.

Fatal accident near Brattleboro; November 27th, 1905.

A public investigation into the cause of this accident was held by commissioners Smith and Howard at Brattleboro on the 15th day of February, 1906. H. D. Ryder, state's attorney for the county of Windham, appeared for the state of Vermont; J. L. Martin for the Boston & Maine railroad.

The evidence showed that the body of John Reddy or John Reagan was found on the track of the Boston & Maine railroad at a point about one mile north of Brattleboro station on the morning of November 27th, 1905 by Louis M. Allen, an employee in the cabinet factory at Brattleboro. The previous afternoon and evening Reddy or Reagan was in company with two or three other persons in the vicinity of where the accident occurred and the party consumed a considerable quantity of intoxicating liquor. No witness produced before the commissioners was able to satisfactorily explain how the victim of the accident happened to be left on or near the track at the point near where his body was found. An inquest was held by the authorities of the town of Brattleboro but nothing was established as to just how the accident occurred. The commissioners find that if Reddy or Reagan was struck while alive by some train passing over the Boston &

Maine railroad he was a trespasser and came to his death by his own careless act.

Done at Montpelier, Vt., this 8th day of March, 1906.

FULLER C. SMITH,
GEORGE T. HOWARD,
Railroad Commissioners.

IN RE HARRISON McCORMICK,

Fatal accident at Brattleboro, December 9th, 1905.

A public investigation into the cause of this accident was held at Brattleboro on the 15th day of February, 1906, by commissioners Smith and Howard. H. D. Ryder, state's attorney for the county of Windham, appeared for the state of Vermont and presented the evidence before the commissioners. The Central Vermont railway company was represented by E. D. Nash, assistant superintendent; E. W. Gibson for the administrator of Harrison McCormick's estate.

The evidence showed that at about 15 minutes past 10 o'clock on the evening of December 9th, 1905, passenger train No. 1 on the Central Vermont railway was engaged in shifting its cars in the yard at Brattleboro in order to properly arrange the cars for the trip the next morning. McCormick was a car inspector in the employ of the Boston & Maine railroad and just previous to the accident was waiting in his shanty for the arrival of No. 49 train which he was to look over. Just as No. 49 train came into the station McCormick stepped out of his shanty and walked in front of the coach of train No. 1 which was being placed on the passenger siding. Perhaps owing to the noise from train No. 49 McCormick did not notice his danger from train No. 1 and was struck and run over, receiving such injuries as resulted in his death the following day. The shifting of the cars in train No. 1 was being properly done; a brakeman with a light was stationed upon the front platform of the coach which struck McCormick and this brakeman shouted loudly in warning but failed to arrest McCormick's attention. The train stopped immediately and McCormick was taken from beneath the car and cared for.

The commissioners find that McCormick contributed to the

accident by attempting to cross the track of the Central Vermont railway company without looking or listening for the approach of a train and that the accident was not caused by reason of any fault of the Central Vermont railway company, its servants or agents.

Done at Montpelier, Vt., this 8th day of March, 1906.

FULLER C. SMITH,

GEORGE T. HOWARD,

Railroad Commissioners.

IN RE D. P. PEABODY. -

Fatal accident at Rutland, December 12th, 1905.

A public investigation into the cause of this accident was held by the board of railroad commissioners of the state of Vermont at Rutland on the 22nd day of December, 1905.

R. A. Lawrence, state's attorney for the county of Rutland, appeared and presented the evidence before the commissioners; P. M. Meldon for the Rutland railroad company.

At about two o'clock and ten minutes of the afternoon of December 12th, 1905, D. P. Peabody entered the station of the Rutland railroad company at Rutland for the purpose of mailing some letters on the south bound train which was just leaving. He hurried across track No. 1 without taking any notice of train No. 153 which was entering the station.

Train No. 164 upon which Peabody purposed to mail his letters was already under motion towards the south. The bumper beam on the pilot of the engine drawing train No. 153 struck Peabody on the left side and he was thrown beneath train No. 164 sustaining injuries from which he died the same evening.

The testimony of various witnesses fairly established the fact that Peabody attempted to cross track No. 1 without looking for the approach of any train and that when he came into a position of danger it was impossible to bring the train to a stop. The witnesses disagreed as to the rate of speed of train No. 153 when entering the station, some placing its speed at eight to ten miles per hour while others claimed that it did not exceed three to four miles per hour.

Section 3922 of the Vermont statutes provides as follows:
"If a person having control of a detached engine, or an engine

with passenger cars attached, runs such engine or such passenger train of cars into or through a passenger depot at a speed exceeding four miles an hour, he shall be fined ten dollars."

This section of the law is no prohibition against any rate of speed so far as the railroad company is concerned; it only provides a fine to be imposed upon a person having the control of an engine or passenger train when such engine or passenger train is run "into or through" a passenger depot faster than four miles per hour. If the words "into" and "through" are to be construed in their literal sense then this section only applies to stations where there is a covered train shed and is therefore of no practical utility as a part of the statute law of the state. But whatever construction is to be placed upon it, the prohibition is not upon the railroad company and the railroad commission has no jurisdiction of the offender. In the case under consideration we do not think that train No. 153 was improperly operated or that it entered the Rutland railroad station at a particularly dangerous speed.

The commissioners find that Peabody suffered the accident which resulted in his death by reason of his own careless act and that the Rutland railroad company and its employees are in no way in fault therefor.

Done at St. Albans, Vt., this 26th day of December, 1905.

FULLER C. SMITH,

H. S. BINGHAM,

GEORGE T. HOWARD,

Railroad Commissioners.

IN RE COLLISION.

Head-on collision near South Royalton, December 27th, 1905.

Pursuant to notice to all parties interested a public investigation into the cause of this collision was held at St. Albans on the 5th day of January, 1906, all the commissioners being present. Warren R. Austin, state's attorney for the county of Franklin, appeared for the state of Vermont in place of Charles Batchelder, state's attorney for the county of Windsor, who was unable to attend the hearing. C. W. Witters for the Central Vermont railway company.

A large number of witnesses were examined and from all the evidence submitted the commissioners find the following facts:

The collision occurred between train No. 1, north bound passenger, and train extra south bound freight No. 404 at a point about one mile north of South Royalton station; the time was between 1:35 and 1:38 a. m. At South Royalton No. 1 received the following order:

"To C. and E. of No. 1 at South Royalton:

No. 1 engine 969 will wait at South Royalton until 1:40 a. m. for No. 32 eng. 391 and extra south engine 404. This order will be delivered to No. 1 at South Royalton.

C. E. Soule, Superintendent.

By Stearns, Dispatcher."

Time received, 1:02 a. m. O. K. given at 1:02 a. m.

Signed by conductor Lampman of train No. 1 and made "complete" at 1:25 a. m.

When No. 1 arrived at South Royalton south bound freight No. 96 and extra south bound freight No. 400 were standing on the side track; No. 1 had no orders on these trains and engineer McConnell passed them without ascertaining definitely what trains they were. Immediately upon stopping at South Royalton conductor Lampman went into the depot and received the order above recited. He read it to the operator and his trainmen, and, either upon his own inquiry or the inquiry of his brakeman, the operator volunteered the information that extra south No. 404 was in. Conductor Lampman thereupon sent the order by his brakeman to engineer McConnell with word that "the operator says that extra south No. 404 is in." The brakeman, according to the testimony of McConnell, merely told him that "No. 404 is in." No. 1 then pulled down to the north switch and while doing so No. 32 engine 391 pulled into the clear from the north and thereupon engineer McConnell started out on the main line at about 1:35 a. m. or 1:36 a. m.

The operator at South Royalton testified that while conductor Lampman stood reading his order a person sitting upon one of the settees in the waiting room, and whom, from his appearance and dress, he judged was a trainman, stated that extra south No. 404 was in, and that upon this information, and without any personal investigation whatever, the operator conveyed the information to conductor Lampman. Lampman accepted the word of the operator and sent it to engineer McConnell by his brakeman, who having no reason to doubt its authenticity, read it to his

fireman, and, in obedience to a signal from his conductor, pulled down to the north switch, saw that No. 32 was just in, and started north. Five men were directly involved in this transaction. The person upon the settee who first volunteered the wrong information that extra south No. 404 was in; the operator who repeated the word to conductor Lampman; Lampman who accepted the information and sent it to engineer McConnell by his trainman Raymond; Raymond who carried it to engineer McConnell; and finally McConnell who accepted and acted upon it.

For some unaccountable reason every one of these five persons acted in violation of the rules of the Central Vermont railway company. If Marquis, the operator, is to be believed, some person, unknown to him, volunteered information that was false. Upon such unwarranted assertion of a stranger, Marquis was willing to have conductor Lampman understand that No. 404 was in. It is true that Lampman and McConnell are given no right by the rules of the Central Vermont railway company to accept and act upon this information given by the operator. McConnell, in his testimony, makes no effort to justify himself for doing so. But the commissioners believe that there are some extenuating circumstances which excuse, in some degree, the action of conductor Lampman and engineer McConnell. Modern methods of railroads do not always permit an engineer and conductor the opportunity of making an investigation consuming considerable time in order to ascertain if opposing trains have arrived at a meeting point, particularly when several of them are occupying an extensive railroad yard. In this particular instance there was time enough; but the impracticability of such investigation is so often a part of the experience of men operating a train that it has come to be a practice, more or less general, to accept and act upon information given by the telegraph operator under certain conditions. The evidence showed that such a custom prevails upon the Central Vermont railway to a greater or less extent. Men in every business or employment must, at times, act upon the word of another; and every conductor and engineer must of necessity, rely upon the accuracy and integrity of a telegraph operator every time they receive an order from them. They assume that the operator is competent, accurate, exact in the discharge of the duties imposed upon him. In the judgment of the commissioners far greater blame attaches to Marquis for giving the wrong information than to Lampman and McConnell for accepting and acting upon it; because Marquis knew the source of

the information and had the opportunity to judge of its trustworthiness. Lampman and McConnell assumed that Marquis himself was the authority and original source of the statement. The serious and inexcusable blunder was made by Marquis; he did not act with even ordinary intelligence. He showed himself to be heedless, incompetent and unsafe. He escapes the whole blame for the collision only because he acted outside the rules and the conductor and engineer were not authorized to act upon the information he gave them.

There is another phase of the case that perhaps should be noticed. If dispatcher Stearns had succeeded in his efforts to promote the passage of trains over the road he would have congested four freight trains into South Royalton to meet No. 1. It is interesting to note the progress of No. 404 prior to the accident. This train left Randolph at 12.35 a. m. Randolph is 14.1 miles from South Royalton and 7.1 miles from Bethel. No. 404 was at Randolph from 10:50 p. m. until 12:35 a. m. Up to the time it left Randolph it had not occurred to dispatcher Stearns to hurry this train into South Royalton to meet No. 1 but later he sent the "waiting" order to No. 1 at South Royalton and to No. 32 and No. 404 at Bethel. By this order he gave positive instructions to No. 1 to wait at South Royalton until 1:40 a. m. or until No. 32 and No. 404 had arrived and at the same time he said, in effect, to No. 32 and No. 404 at Bethel, No. 1 will wait at South Royalton for you until 1:40 a. m., if you can get there and clear you can go, otherwise stay where you are. This is the precise effect of this "waiting" order. Positive instructions to one man and liberty to use discretion to the others. The result was not uncommon. The engineer of No. 32 used sound discretion and got his train into South Royalton off the time of No. 1. Lewis, the engineer of No. 404, was less fortunate; he failed to exercise a wise discretion and a collision resulted; not entirely by his fault, but because he did not judge correctly his ability to reach South Royalton in time to clear the leaving time of No. 1 by the five minutes required by the rule.

Dispatcher Stearns should not have given a "waiting" order at such a time; if these trains had been given an explicit order to meet at a certain point no collision or mistake would have occurred. Under certain circumstances a "wait" order may be justified, but there were two trains already at South Royalton, two at Bethel, which might go there under the order, and No. 1 itself receiving its instructions at the same place; there was no telegraph office

between. Any failure or lapse or delay on the part of either of these freight trains made a collision or accident of some kind almost a probability. The situation produced by the orders given invited disaster. Rule 233 applies with all its force to train dispatchers as well as to trains crews: "In all cases of doubt or uncertainty take the safe course and run no risks."

It was the duty of Lewis when he found himself unable to reach South Royalton before 1:35 a. m. to at once protect his train in front by a flag. Only by so doing was he entitled to use any part of the five minutes between 1:35 and 1:40 a. m. on the line north of South Royalton.

The commissioners conclude that the chief fault lies with operator Marquis. Conductor Lampman and engineer McConnell are subject to censure for the violation of the rule or requirement that they should ascertain of their own knowledge that opposing trains are clear of the main line before proceeding, and not rely upon the word of the operator. The commissioners do not excuse their failure to act in strict compliance with their duty in the movement of trains. The traveling public is entitled to the security which accrues from the most careful operation and the closest adherence to all regulations calculated to make safe the passage of trains over the road. But there is a wide gulf between the capacity and competency of Marquis and McConnell and Lampman, and the gross heedlessness of the former was directly responsible for the error of both the others. Engineer Lewis failed in his neglect to protect his train when he found himself upon the time of No. 1, or at least, unable to reach South Royalton by 1:35 a. m. He is amenable to censure also for attempting to reach South Royalton with No. 32 close ahead and only 19 or 20 minutes to make the run.

The commissioners can only point out the cause of the accident and attach responsibility to individuals. The frailty of human judgment cannot be cured by rules or orders. The remedy lies only in the weeding out of incompetents and the reasonable and judicious discipline of erring competents.

Done at Bennington this 26th day of January, 1906.

FULLER C. SMITH,

H. S. BINGHAM,

GEORGE T. HOWARD,

Railroad Commissioners.

IN RE H. L. McENANY.

Fatal accident at St. Albans, December 30th, 1905.

A public investigation into the cause of this accident was held at St. Albans on the 18th day of January, 1906, all the commissioners being present. The state of Vermont was represented by Warren R. Austin, state's attorney for the county of Franklin; C. W. Witters appeared for the Central Vermont railway company; Nathan N. Post for relatives of McEnany.

The evidence showed that at about four-thirty o'clock on the morning of December 30th, 1905, a switcher with engine No. 315 and two flat cars were making a flying switch in the south yard at St. Albans. McEnany was engaged as a brakeman in pulling the pin to uncouple the flat cars from the engine. The engine was nosed on to the flat car and was backing past the switch; conductor Bashaw stood ready to throw the switch between the engine and the flat car as McEnany should uncouple them. In order to make this movement it was necessary for the engineer to momentarily slacken the speed of his engine to give the coupling apparatus sufficient slack so that McEnany might easily uncouple the flat car from the engine. Just at the point where this was done McEnany fell forward from the end of the flat car on to the foot board of the switching engine and thence to the ground between the rails and was run over by the two flat cars, sustaining injuries from which he died later in the day. No person saw him fall but his outcry was heard by conductor Bashaw. There is little doubt that McEnany fell over the end of the flat car when the engine suddenly slackened its speed. More or less danger is always involved in making this train movement but McEnany was an experienced railroad man and must have known the danger of his position. The testimony showed that the coupling apparatus was in good condition and so far as the investigation showed there was no fault which can be attributed to the railway company or to McEnany's fellow servants.

Done at St. Albans, Vt., this 18th day of January, 1906.

FULLER C. SMITH,
H. S. BINGHAM,
GEORGE T. HOWARD,
Railroad Commissioners.

IN RE CHARLES HAMMOND AND MRS. E. B. DICKERSON.

Fatal accident at East Fairfield, January 1st, 1906.

Upon reasonable notice a public investigation of this accident was held at East Fairfield on the 17th day of January 1906, all the commissioners being present. Warren R. Austin, state's attorney for the county of Franklin, appeared for the state of Vermont and presented the evidence to the commissioners. C. G. Austin and I. N. Chase appeared for the relatives of Hammond and Mrs. Dickerson; John Young, Harry Blodgett and F. S. Tupper for the St. Johnsbury & Lake Champlain railroad company.

On the morning of the accident west bound passenger train No. 7, C. H. Ranney, conductor, and Frank Miner, engineer, left East Fairfield at about 9:51. At a highway grade crossing located about 150 or 200 rods west of East Fairfield station, and while running at a rate of speed of about 25 miles per hour, the engine struck a team being driven by Charles Hammond and Mrs. E. B. Dickerson, both of whom were instantly killed.

According to the testimony of the train crew and of several witnesses who were residents of East Fairfield and were in the immediate vicinity of the scene of the accident, engineer Miner blew the whistle for this crossing at or near the whistle post.

This fact was clearly established by the testimony of disinterested witnesses. The crossing is a very blind and dangerous one, approached from the north, and the railroad between the crossing and the station is hidden from view by an embankment and a row of buildings. No person was an eye witness to the accident but the occupants of the sleigh evidently attempted to cross over the railroad track without taking the precaution of stopping, looking or listening for the approach of a train. Engineer Miners' testimony tended to show that the team went on to the crossing at a rapid pace; he did not see the team until his engine was within 20 or 30 feet of the crossing and it was then impossible to stop or even slow down to any extent.

The commissioners cannot find that the St. Johnsbury & Lake Champlain railroad company or its servants or agents were in any way at fault for this accident. The occupants of the sleigh were aware of the location of the crossing and its dangerous character. If they had approached it with due care and prudence and had stopped, looked and listened for the train they would have escaped. Such accidents are of frequent occurrence in this

state and all persons must be conscious of the danger which attends the passing of a railroad track at a highway crossing at grade. In this case the usual warnings were given to travelers upon the highway and it was their duty to protect themselves from danger.

Done at Bennington, this 25th day of January 1906.

FULLER C. SMITH,

H. S. BINGHAM,

GEORGE T. HOWARD,

Railroad Commissioners.

IN RE S. FARRAR.

Fatal accident at Poultney, January 15, 1906.

Pursuant to seasonable notice to all the parties in interest, a public investigation into the cause of this accident was held by commissioners Smith and Bingham at Poultney on the 27th day of February, 1906. R. A. Lawrence, state's attorney for the county of Rutland, appeared for the state of Vermont, E. O. Farrar for Mrs. S. Farrar.

The evidence introduced before the commissioners established the following facts: During the forenoon of January 15, 1906 Mr. Farrar drove upon the crossing of Bentley Avenue over the tracks of the Delaware & Hudson company and was struck by east bound passenger train No. 51. The accident occurred at the second crossing about thirty rods west of Poultney station. The evidence conclusively established the fact that the law requiring the whistle to be blown or the bell to be rung at a highway grade crossing was duly complied with. The buildings of Elwin M. Bixby, located on the westerly side of Bentley Avenue, obstruct the view of the track from Bentley Avenue until a traveler is within a very few feet of the railroad track. A freight train stood on the siding just across the main line from where Mr. Farrar was approaching and it is supposed that Mr. Farrar was endeavoring to get over this crossing before the freight train should block it, and did not notice the approach of the passenger train. Witnesses who viewed the accident from the platform of the station testified that Mr. Farrar came on to the crossing at quite a rapid gait; that the engineer blew a whistle for the crossing and that the train was running at about its usual speed at that point.

The conclusion of the commissioners is that Mr. Farrar met his death by his own careless act in attempting to cross over the railroad track without stopping, looking or listening for the approach of a train and that there was no fault on the part of the Delaware & Hudson company, its servants or employees in the operation of the train.

Done at St. Albans, Vt., this 2nd day of April, 1906.

FULLER C. SMITH,
H. S. BINGHAM,
Railroad Commissioners.

IN RE THEO. VICTOR FLEBOTTE.

Fatal accident at South Barton, February 11th, 1906.

A public investigation into the cause of this accident was held at St. Johnsbury on the 16th day of March 1906. Present: all the commissioners; Guy W. Hill for E. A. Cook, state's attorney for the county of Orleans; Harry Blodgett for the Boston & Maine railroad.

It appeared from the evidence that Theo. Victor Flebotte was a passenger on night train No. 30 Montreal to Boston in company with one Alfred Flebotte, a relative. On the morning of the 11th day of February, 1906, the dead body of Theo. Flebotte was found on the station platform at South Barton. Just how he came to his death is unknown, as no person known to the commissioners, saw him after conductor Goss picked up the tickets on the train after leaving Newport. It is not known whether he fell from the train at South Barton or got off at some point on the grade between Barton and South Barton and walked to the latter place where he attempted to board a following freight train.

So far as can be ascertained no person saw him after he left the train and before his death.

The commissioners conclude that Flebotte came to his death through no fault of the Boston & Maine railroad or its employees.

Done at St. Albans, Vt., this 10th day of April, 1906.

FULLER C. SMITH,
H. S. BINGHAM,
GEORGE T. HOWARD,
Railroad Commissioners.

IN RE WILLIAM J. SNYDER.

Fatal accident at Proctor, February 14th, 1906.

Pursuant to notice a public investigation into the cause of this accident was held at Proctor, on the 28th day of February, 1906, by commissioners Smith and Bingham. George E. Lawrence appeared for the state of Vermont in place of R. A. Lawrence, state's attorney for the county of Rutland; T. W. Moloney for the family of Wm. J. Snyder; George McMaster for the Rutland railroad company.

On the 14th day of February, 1906, Snyder with two other men went to Proctor from Rutland for the purpose of placing upon the track a box car which had become derailed near one of the mills of the Vermont marble company. This box car was standing in front of the wharfing, the north trucks being on the ties and the car thrown off the center. One Frederick McLaughlin was in charge of a gang consisting of himself, Snyder and M. Burley. Snyder was pumping a hydraulic jack which had been placed just between the wharfing and the box car and Burley was assisting him; McLaughlin was working a similar jack on the other side of the car. In order to prevent the car moving as the body of it was raised the workmen had placed in front of the rear or south trucks a plank two by six inches reaching across both rails. When the car had been jacked up about six inches it suddenly moved forward sliding the plank along the rails; the jacks tipped over and the body of the car lurched toward the wharfing, catching Snyder and squeezing him so badly that death resulted; Burley was only slightly injured. The commissioners find that the accident was caused by reason of the improper blocking of the rear trucks of the car. All three of the men engaged in the work understood how the car was blocked to prevent it from moving, but McLaughlin placed the plank across the rails in front of the rear truck. The rails were more or less covered with ice and snow and the siding on which the car stood was upon a slight down grade toward the north. A proper method of preventing the car from moving forward was by the use of wedges driven underneath the wheels on top of the rails but McLaughlin testified that when he left Rutland he did not understand that the car was off the iron.

This was not such an accident as would ordinarily call for an investigation upon the part of the commissioners. It was a

result of faulty methods adopted by all three of the men in attempting to place the car back upon the track.

Done at St. Albans, Vt., this 11th day of April, 1906.

FULLER C. SMITH,

H. S. BINGHAM,

Railroad Commissioners.

IN RE MRS. ALICE POCOCK DANIELS AND MISS MAY HYDE.

Fatal accident at St. Johnsbury, February 18th, 1906.

A public investigation into the cause of this accident was held at St. Johnsbury on the 16th day of March, 1906, all the commissioners being present. Guy W. Hill, state's attorney for Caledonia county, appeared for the state of Vermont and presented the evidence before the commissioners. Harry Blodgett appeared for the Boston & Maine railroad. The evidence disclosed the following facts: On the afternoon of February 18th, 1906, Mrs. Alice Pocock Daniels and Miss May Hyde were driving to St. Johnsbury village from the suburb of Summerville. After passing the iron bridge over the Passumpsic and when between the track of the St. Johnsbury & Lake Champlain railroad and that of the Boston & Maine railroad the air line express No. 184, south bound, whistled for the crossing.

The occupants of the sleigh stopped their horse, but just before the train reached the crossing the horse became unmanageable, made a dash for the crossing and was struck by the train.

Mrs. Daniels was instantly killed; Miss Hyde escaped with no serious injuries.

At that crossing the Boston & Maine railroad has in operation a set of gates operated by an employee in a tower.

The gates were down and in proper position to warn travelers upon the highway of the approach of the train at the time of the accident. The horse driven by one of the occupants of the sleigh, broke down the gate and rushed upon the track just as the engine reached the crossing. The blowing of the whistle for this crossing and the ringing of the bell was clearly established and the speed of the train was not excessive. It is evident that the occupants of the sleigh knew of the approach of the train, saw the gates were down and endeavored to stop and control their horse before

reaching the crossing. The commissioners conclude that the accident occurred through no fault of the Boston & Maine railroad, its servants or employees.

Done at St. Albans, Vt., this 11th day of April, 1906.

FULLER C. SMITH,
H. S. BINGHAM,
GEORGE T. HOWARD,
Railroad Commissioners.

IN RE ANDREW EKMAN ET ALS.

Fatal accident to Andrew Ekman and personal injury to A. S. Randall and Alex Bardjewics at Proctor, February 15th, 1906.

A public investigation into the cause of this accident was held by commissioners Smith and Bingham at Proctor on February 28, 1906. George E. Lawrence appeared for R. A. Lawrence, state attorney for the county of Rutland; F. C. Patridge for the Clarendon & Pittsford railroad company.

Just before six o'clock on the afternoon of February 15, 1906, a train crew on the Clarendon & Pittsford railroad set out two cars loaded with marble on the middle engine house track. The brakemen set the brakes on these two cars and trigged the forward wheel with two pieces of board. The engine was detached and passed down to the machine shop some fifteen or twenty rods distant from the engine house. In some manner, unknown to any person, the brakes upon the cars became loosened and the cars started on the down grade toward the machine shop where they struck the engine with great force, and in the smash-up Ekman was so seriously injured that death occurred the next morning; Randall sustained an injury to hip and Bardjewics of both legs below the knees and some minor wounds. At the point where the two cars were set out near the engine house the track is nearly level but the grade increases rapidly down to the machine shop.

It is possible that the ice and snow around the ratchet and dog of the brake caused the dog to slip and the brake to loosen after the men left the cars, and the piece of board used to block the wheel was insufficient in size to hold the cars at the point where they were set out.

The commissioners conclude that the accident resulted from an imperfect blocking of the wheels of the cars, but with the

brakes properly set as they were, no particular danger of the cars getting away could have been foreseen. No orders or recommendations which this commission can give would have any tendency to prevent such an accident.

Done at St. Albans, Vt., this 12th day of April, 1906.

FULLER C. SMITH,

H. S. BINGHAM,

Railroad Commissioners.

IN RE E. W. BRAINARD.

Fatal accident at St. Johnsbury, March 2nd, 1906.

A public investigation into the cause of this accident was held at St. Johnsbury on March 16th, 1906, and at Newport April 6th, 1906, at which hearings all of the commissioners were present. Guy W. Hill, state's attorney for the county of Caledonia, appeared for the state of Vermont; Harry Blodgett and George B. Young for the Boston & Maine railroad; H. F. Graham and F. E. Miles for the relatives and estate of E. W. Brainard.

The evidence showed that Brainard was a brakeman on a freight train and that during the evening of March 2nd, 1906, his train was engaged in shifting some cars in the railroad yard at St. Johnsbury and while riding on the ladder of a moving box car he struck a switch target and light, and was so badly injured that death ensued soon after the accident. It appeared that the car upon which Brainard was riding at the time he struck the switch target was Grand Trunk car 4049 and the evidence tended to show that the ladder was located upon the end of this car and that Brainard either stood in the stirrup or upon this ladder and was leaning out from the corner of the car. The switch struck by Brainard was one of several leading off what is called the ladder track and is located very close to the track on account of the nearness of another siding. At the time of the accident the light upon the target was shining but probably was not seen by Brainard. The light and target stand upwards of five feet from the ground.

The commissioners find that Brainard came to his death by reason of the close proximity of the switch target and light to a passing car and because Brainard exposed himself by leaning his body out from the side of the moving car. An examination of the premises disclosed the fact that the switch where the accident

occurred cannot be located at a greater distance from the track without changing the location of several tracks in the yard and several other switches. The commissioners have considered very carefully the practicability of replacing this switch with one of another pattern having the target and light only about 18 inches from the ground, so that a brakeman leaning out from a car or riding a side ladder would not strike the switch in passing; but there are objections to a low target switch so serious that the commissioners do not feel warranted in recommending their adoption on this ladder track. In winter time, particularly, they are liable to be covered with a heavy fall of snow and during the entire year they do not afford as effective a warning to an engineer as a switch with a target and light five feet from the surface of the ground.

The evidence established the fact that the dangerous character of these switches was known both to the officials of the Boston & Maine railroad and to Brainard who had been warned of the fact that some of the switches in the St. Johnsbury yard were placed too close to the track to permit safe riding on the side of a car. As a general rule, there is no necessity for a brakeman to ride upon a side ladder or to lean out from an end ladder or stirrup while engaged in the performance of his duties.

In the judgment of the commissioners the facts do not warrant any action requiring a change in the location of the tracks or switches where the accident occurred, because any change that might be made, without shifting the location of the tracks and reconstructing the yard would result in creating conditions quite as dangerous in the operation of trains as the present.

Done at St. Albans, Vt., this 1st day of June, 1906.

FULLER C. SMITH,
H. S. BINGHAM,
GEORGE H. HOWARD,
Railroad Commissioners.

IN RE WILLIAM SHELDON.

Fatal accident at Newport, March 14th, 1906.

A public investigation into the cause of this accident was held by the commissioners at Newport on the 6th day of April,

1906. E. A. Cook, state's attorney for the county of Orleans, appeared for the state of Vermont; George B. Young for the Boston & Maine railroad.

The evidence showed that William Sheldon was a laborer in the mill of Prouty and Miller located about one-half mile south of Newport village. On the morning of the accident and at about six o'clock and forty minutes a. m., Sheldon was walking on the track of the Boston & Maine railroad in the direction of Prouty & Miller's mill. An engine on the way from Newport to Barton was passing through the south yard; there are two or three tracks at the point where Sheldon was struck and just prior to the accident the engineer saw him walking on a side track entirely out of danger. Immediately after this Sheldon was struck by the engine and so badly injured that he died a day or two afterwards. It is supposed that he stepped over upon the main line unaware of the fact that an engine was bearing down upon him. He was a trespasser upon the track of the Boston & Maine railroad and the commissioners find that the accident occurred by reason of his own fault. No blame is attached to either the Boston & Maine railroad or its employees.

Done at St. Albans, Vt., this 10th day of April, 1906.

FULLER C. SMITH,

H. S. BINGHAM,

GEORGE T. HOWARD,

Railroad Commissioners.

IN RE FRED H. DEZAN.

Fatal accident at Newport, May 14th, 1906.

Pursuant to seasonable notice commissioners Bingham and Howard held a public investigation into the cause of this accident at Newport on the 21st day of June, 1906. E. A. Cook, state's attorney for Orleans county, appeared for the state of Vermont; Young & Young for the Boston & Maine railroad; F. E. Miles for the estate of Fred H. Dezan. It appeared from the evidence that Dezan, who was an employee of the Boston & Maine railroad, was engaged in the business of uncoupling cars in train 32 which had just arrived at Newport from Sherbrooke. The yard men were setting off the cars in this train on to side tracks in Newport yard; in

attempting to uncouple two of the cars Dezan was so severely pinched that death resulted. The evidence does not show that Dezan was engaged in any kind of work not required from him in his employment nor does the testimony show that the work was being improperly performed by Dezan or his co-employees. The commissioners conclude that Dezan received the injuries which resulted in his death because of the careless manner in which he performed the work he undertook to do and that no blame attaches to the Boston & Maine railroad or to its servants or employees.

Done at Bennington this 8th day of September, 1906.

H. S. BINGHAM,
GEORGE T. HOWARD,
Railroad Commissioners.

IN RE MARTIN T. CONSIDINE.

Fatal accident near New Haven Junction, June 8th, 1906.

A public investigation into the cause of this accident was held at Middlebury on the 23rd day of August, 1906, all the commissioners being present. L. C. Russell, state's attorney for the county of Addison, representing the state of Vermont; George McMaster for the Rutland railroad company; J. B. Donoway for relatives of Considine.

The evidence showed that Considine was a brakeman on north bound freight train No. 21 on the 8th day of June, 1906; that about one mile north of New Haven Junction and while standing on top of a freight car, he was struck by an over-head bridge and received injuries which resulted in his death the same day. The evidence of Fireman Jackson, who was an eye witness to the accident, showed that the tell-tale warning south of the over-head bridge struck Considine and knocked his hat from his head; in attempting to recover his hat he failed to stoop low enough to avoid the bridge and from the blow sustained a fracture of the skull. Considine was in the discharge of his regular duty as a brakeman at the time of the accident and received his injuries because of his carelessness

in not looking out for the over-head bridge after being warned by the tell-tale. No blame is attached to the Rutland railroad company or to Considine's fellow servants.

Done at St. Albans, Vt., this 10th day of September, 1906.

FULLER C. SMITH,

H. S. BINGHAM,

GEORGE T. HOWARD,

Railroad Commissioners.

IN RE S. H. DAVIS.

Fatal accident at East Clarendon, June 20th, 1906.

A public investigation into the cause of this accident was held at Rutland August 17, 1906, at which all the commissioners were present. R. A. Lawrence, state's attorney for the county of Rutland, presented the evidence before the commissioners; P. M. Meldon appeared for the Rutland railroad company and T. W. Moloney for the estate of S. H. Davis.

On the 20th day of June, 1906, a box car loaded with pulp wood got away from the train crew of the north bound local freight at East Wallingford and collided with a south bound passenger train near East Clarendon station. S. H. Davis, engineer of the passenger train, jumped from his engine and was fatally injured.

The evidence showed that the car of pulp wood was standing upon a spur track at East Wallingford and when the local freight train arrived from the south the engine was detached, run in on to the spur track and nosed on to the car of pulp wood for the purpose of setting it out upon the long siding on the other side of the main line. T. R. Sullivan, a brakeman on the local freight, got on to the car and let off the brake before it was moved from the spur track. He set it up to see if it worked all right and then got off and turned a switch and again mounted the car for the purpose of stopping it upon the long siding above referred to. When he attempted to do this he found that the brake would not hold the car and the siding being upon a down grade toward the north the car passed out at the north end over a split switch on to the main line and down the mountain towards Rutland. This long siding is more than thirty rods in length and at a point near the north switch there is a derailing switch which at the time of the accident was closed. Sullivan testified that the brake chain appeared to be

kinked and twisted so that he was unable to set the brake properly. Gaining in momentum the car passed out upon the main line and Sullivan, unable to stop it, jumped off to save himself. The station agent at East Wallingford saw the car as it got away and immediately wired the dispatcher's office at Rutland what had happened. The dispatcher quickly notified the agent at Cuttingsville but before he could throw a switch to derail the car it had passed his station; notice was also sent to East Clarendon but the agent there was unable to derail the car before it had passed. The flyer was stopped but in the collision engineer Davis lost his life.

There is no rule of the Rutland railroad company requiring the derail switch to be set to ground except in cases where a car is placed to remain upon a siding; in such a case if the siding is upon a grade and has a derail switch it is the duty of the trainmen to set the derail switch to ground. This car was being placed upon the long siding for the purpose of taking it into the train. Sullivan continued his attempts to stop the car by means of the brake until it acquired a momentum which placed it beyond his control. If he had seasonably discovered his inability to stop the car he might have descended to the ground and reached the derailing switch in time to have set it to ground before the car reached it. It seems entirely possible that in the exercise of good judgment he might have been able to do this, but the commissioners can only speculate upon the discretion which Sullivan exercised in the performance of his duty. There is nothing in the case that warrants the finding, that he was negligent or that the operation of moving this car from the spur track to the long siding was performed in other than the usual and ordinary manner under such circumstances. The evidence showed that when the car was detached from the engine by the conductor that it was moving at a very slow rate of speed; that Sullivan seasonably got upon the car and operated the brake for the purpose of stopping it; and that he made every possible effort consistent with his own safety to prevent the car from running out upon the main line. The testimony showed that Sullivan tested the efficiency of the brake before the car was taken off the spur track.

After the car got away every effort was made by the agent at East Wallingford through the chief dispatcher at Rutland to bring notice of its escape to the attention of the other station agents at Cuttingsville and East Clarendon; but the switches at these points are located so far from the office of the operators, both of whom were upon duty, that it was impossible for them to derail

the car before it passed. The action of the agent at East Wallingford in notifying the dispatcher at Rutland in stead of attempting to first call the operators at Cuttingsville or East Clarendon is not, in the judgment of the commissioners, subject to serious criticism. Mattison, the agent and operator at East Wallingford, testified that when he called the train dispatcher at Rutland to notify him that the car had got away, the time, as indicated by his office clock, was between 2 and 2:05 p. m. and that the leaving time of the passenger train from Rutland was 2 o'clock. He sensibly reasoned that he might get notice to the dispatcher before the passenger train departed from Rutland and that if he spent any time attempting to get notice to the agents at Cuttingsville and East Clarendon he might not succeed in getting them and would lose valuable time in notifying the dispatcher at Rutland. The evidence showed that neither the agent at Cuttingsville nor the agent at East Clarendon was able to reach a switch in time to derail the car.

The commissioners conclude that the accident occurred because of circumstances beyond the control of the train crew of the local freight train or the agents at East Wallingford, Cuttingsville and East Clarendon; that the movement of the car which collided with the passenger train was made properly and in accordance with the usual methods under all the circumstances; and that the imperfect application of the brake could not be foreseen by the exercise of ordinary care and prudence on the part of those engaged in the work of moving the car.

Done at St. Albans this 10th day of September, 1906.

FULLER S. SMITH,
H. S. BINGHAM,
GEORGE T. HOWARD,
Railroad Commissioners.

IN RE CHARLES TAGGIST.

Fatal accident near West Rutland, June 30th, 1906.

A public investigation into the cause of this accident was held at Rutland on the 23rd day of August, 1906. All the com-

missioners being present. R. A. Lawrence, state's attorney for the county of Rutland, presented the evidence before the commissioners and T. W. Moloney appeared for the Delaware & Hudson company.

The evidence showed that on the day of the accident Taggist was walking on the track of the Delaware & Hudson company near West Rutland and was struck by passenger train No. 111 and instantly killed. Just previous to the accident Taggist was walking beside the track and far enough away to avoid being struck by any passing train; he then stepped close to the track and was struck by the bumper beam. There was evidence in the case that Taggist was deaf and dumb; at any rate he was apparently unconscious of the approach of the train although warning whistles had been blown. He was a trespasser upon the right of way of the Delaware & Hudson company and the accident was caused by his own carelessness. No blame can be attached to the Delaware & Hudson company or to its servants or employees.

Done at St. Albans Vt., this 11th day of September, 1906.

FULLER C. SMITH,

H. S. BINGHAM,

GEORGE T. HOWARD,

Railroad Commissioners.

II.

Inquiry into the following cases has been made, in most instances, by a commissioner and the circumstances found to be such as did not warrant a public investigation. The examinations were made by personal inquiry or by correspondence or by taking *ex parte* affidavits and in this way the responsibility for the accident was fixed. In each case the commissioners concluded that no public investigation was necessary.

An unknown man was fatally injured on the Rutland railroad near Burlington July 18, 1904. No positive information could be obtained in regard to the accident, but it is supposed the man was stealing a ride on a train and fell off between the cars and was run over and fatally injured.

Albert Gordon, 11 years old, was fatally injured on the Central Vermont railway at West Alburgh July 18, 1904. The lad attempted to steal a ride on a moving freight train, fell under a car and sustained injuries which resulted in his death the next day. Investigation by a member of the commission showed that the railway company or its employees were in no way responsible for the accident.

A little child of George Reed was killed on the Rutland railroad near Sunderland August 8, 1904. The child wandered from its home on to the railroad track and was struck by passenger train No. 48 and instantly killed. Investigation showed that every effort was made to stop the train and no blame attaches to the Rutland railroad company.

Eugene Bell, a laborer, was instantly killed at St. Albans on the Central Vermont railway August 2, 1904. While under the influence of liquor he attempted to board a moving engine, fell and was decapitated. Bell was a trespasser in the yard of the Central Vermont railway company and his death was caused by his own careless act. No blame attaches to the railway company or its employees.

Alonzo Newton was fatally injured on the St. Johnsbury & Lake Champlain railroad near St. Johnsbury on the 18th day of August, 1904. Newton was driving a team and at a highway grade crossing his team ran against the side of a locomotive tender and he was fatally injured. Investigation showed that Newton was very hard of hearing and that the usual warning signals for the crossing were blown. He either did not see the train approaching or else was unable to control his horse. No blame attaches to the railroad company or its employees.

G. R. Huntoon, yard brakeman, was injured at St. Albans on the Central Vermont railway August 22, 1904. While riding on the side ladder of C. A. car 2266 Huntoon was struck by a switch and thrown off, the wheels passing over one leg. Huntoon was engaged in the performance of his ordinary duties as a brakeman and failed to note how close the switch was to the car upon which he was riding. No blame can be attached to the Central Vermont railway company or to Huntoon's fellow employees.

William H. Gile, conductor of yard shifter, was instantly killed on the Central Vermont railway at White River Junction September 11, 1904. He was run over by a shifting engine but no information whatever could be obtained relating to the details of the accident.

Wallace Stockdale, yard brakeman, received personal injuries on the Rutland railroad at Alburgh September 15, 1904. Stockdale was riding a car and was struck by the coal chute, sustaining a fracture of two ribs and other bruises. No public investigation of this accident was ordered.

Lincoln Fitts, a lad 7 years of age, was injured upon the Central Vermont railway near Dummerston quarry on the 19th day of September, 1904. The lad was stealing a ride upon a train and attempted to get off. He fell under the train and one leg and one arm were severed. His presence upon the train was unknown to the trainmen; he was a trespasser and received the injuries which resulted in his death by reason of his own carelessness.

Hannah Long was injured on the White River railroad at Stockbridge September 21, 1904; she attempted to cross the track at a railroad crossing in front of a moving train and was not seriously injured.

Arthur Mears attempted to cross the track of the St. Albans street railway September 14, 1904 and his team was struck by a car. Mears received no injuries. He was driving a milk team with a closed top and did not see the approaching car or hear the warning bell which was sounded.

J. W. Bagley was injured on the Central Vermont railway at Montpelier August 27, 1904. He was walking through a bridge and as the train approached stepped in front of it and was struck by the pilot, sustaining a fracture of the leg and cuts upon the head. He was a trespasser on the track of the Central Vermont railway company and made no claim that any blame attached to the Central Vermont railway or its employees.

Patrick Cummings, 8 years old, was injured on the Rutland railroad at Rutland on October 11, 1904. He was crawling under a freight car and was run over and a foot cut off. The boy was a trespasser and received his injuries by reason of his own carelessness.

Robert Williams, employee in slate quarry, was killed on the track of the Delaware & Hudson company near Poultney September 22, 1904. Williams was lying on the track and was struck by a train; he was a trespasser.

Robert McCammor and William McCormack were slightly injured on the Rutland railroad at Burlington October 13, 1904. They were passengers and were badly shaken up by the rough handling of cars. It was deemed that no public investigation was necessary.

A. Billadue was injured on the Rutland railroad near Bellows Falls October 19, 1904. He was on top of a box car and slipped off the end of the car when it was moved. Billadue was a trespasser and received his injuries through his own careless act.

J. J. Kelley, brakeman, was slightly injured on the Rutland railroad at Wallingford November 3, 1904. He fell from the top of a caboose and upon investigation it was found that he was only slightly injured and that he fell by reason of his own carelessness.

William Pearl, blacksmith, was instantly killed on the Boston & Maine railroad at Windsor November 3, 1904. He was a tres-

passer upon the track and was struck by an extra engine; no one saw him at the time of the accident and no information respecting the details could be obtained.

James Kent, marble worker, was killed on the Rutland railroad at Rutland November 13, 1904. Investigation showed that Kent was a trespasser upon the track of the Rutland railroad company and in attempting to cross either under or between freight cars he was run over and instantly killed. Investigation by a commissioner disclosed the fact that no employee of the railroad company saw him at the time of the accident and no further information could be obtained.

A. H. Hubbard, farmer, was injured on the Rutland railroad near Middlebury December 10, 1904. Hubbard jumped from a passenger train at a highway crossing and sustained injuries which resulted in the amputation of his left arm. The investigation showed that he sustained his injuries by reason of his own careless act in jumping from a moving train.

Mrs. Cummings was fatally injured on the Rutland railroad near Middlebury on December 31, 1904. She was walking on the track and did not get off when the whistle was sounded; investigation developed the fact that Mrs. Cummings was unbalanced mentally and it is thought that she was attempting to commit suicide.

F. L. Penniman, brakeman, was slightly injured on the Rutland railroad at Bellows Falls January 2, 1905. He was squeezed between a moving car and a building; his injuries were slight, no bones being broken.

George Wooster was slightly injured on the Rutland railroad at Vergennes January 10, 1905. He was attempting to get off a moving train; his injuries were of a very trivial nature.

Smith Esjamond, farmer, was slightly injured on the Rutland railroad near Proctor January 13, 1905. Esjamond's team was struck at a highway grade crossing and he received slight injuries. Investigation showed that the usual warnings for the crossing were sounded and that no blame attaches to the railroad company or its employees.

Richard Cordan, fireman, was injured on the Rutland railroad at Bellows Falls January 27, 1905. Cordan was engaged in breaking up coal on the engine and when the engine coupled on to a car he was thrown backwards and sustained a fracture of one rib. It was not considered necessary to hold a public investigation into the cause of this accident.

J. H. Sheehan, engineer, was slightly injured on the Rutland railroad near Chester January 27, 1905. The side rod on the engine broke, tearing off the air pump, a part of which struck engineer Sheehan and slightly injured him. It was not deemed necessary to hold a public investigation into the cause of this accident.

Frank Rivers, section employee, was injured on the Rutland railroad at Vergennes January 30, 1905. When freight train No. 21 pulled into Vergennes station the skid on which section men were engaged in unloading ice was still in position and Rivers, with two other men, attempted to get it out of the way; they were unable to do so before the train struck the plank and Rivers' leg was broken below the knee. No public investigation into the cause of this accident was deemed necessary.

Joseph Murray, farmer, was injured on the Central Vermont railway near East Montpelier January 14, 1905. Murray was a trespasser on the track of the Central Vermont railway. The commissioners concluded that no public investigation into the cause of this accident was necessary.

C. Granfield, conductor, was very slightly injured on the Central Vermont railway near White River Junction on the 1st day of February 1905. No public investigation of this accident was deemed necessary.

F. W. Wells, engineer, was slightly injured on the Central Vermont railway at White River Junction February 4, 1905. Wells was endeavoring to thaw out a frozen pipe and was slightly burned about the face. No public investigation of this accident was deemed necessary.

C. E. Blood, traveling man, was slightly injured on the Central Vermont railway near Essex Junction February 6, 1905. No information was obtainable in regard to this accident save that

Blood was a passenger upon a train and received slight bruises to his face in some manner unknown to the commission.

J. A. Graham, express messenger, was injured on the Central Vermont railway at Sharon February 7, 1905. In a derailment due to a broken axle Graham sustained injuries to his left shoulder and sprained his left leg. It was considered that no public investigation of this accident was necessary.

C. W. Stuart, switchman, was severely injured on the Central Vermont railway at Italy yard St. Albans, March 5, 1905. In some unknown manner he was struck by a train. No one witnessed the accident and it was impossible to secure any further information in regard to it.

W. A. Howard, car repairer, was severely injured on the Central Vermont railway at White River Junction March 6, 1905. While working under a car without flag protection the car was moved by an engine and Howard sustained a compound fracture of one leg. No public investigation of this accident was deemed necessary as it occurred through carelessness and neglect of the victim.

George Adams, fireman, was slightly injured on the Rutland railroad at Alburgh, March 15, 1905. While engaged in the performance of his duties, through his own carelessness, Adams received injuries to his left hand. No public investigation of this accident was deemed necessary.

James Bath lost a foot on the Boston & Maine railroad at Lyndonville March 17, 1905. Bath was a trespasser in the yard of the Boston & Maine railroad and while walking on the track was struck by a shifter. Investigation showed that the accident occurred through the carelessness of the victim and that no blame can be attached to the Boston & Maine railroad or its servants or employees.

Henry Schyner, baggage master, was injured on the Rutland railroad at Bellows Falls March 25, 1905. Schyner caught his foot in a split switch as he was going across the tracks to give a signal to a Boston & Maine train. No public investigation of this accident was deemed necessary.

Kate Beach was injured on the Rutland railroad at Charlotte April 5, 1905. Miss Beach was a passenger on north bound train No. 55, and at Charlotte, when the train started, fell against the arm of a seat and was somewhat injured. No public investigation of this accident was deemed necessary.

D. W. Carpenter, brakeman, was quite seriously injured on the Rutland railroad at Chester, April 14, 1905. While making a coupling between the engine and a car Carpenter was caught and sustained severe injuries to his right arm. He was engaged at the time in the discharge of his regular duties as a brakeman and no public investigation of this accident was deemed necessary.

Frank Cushing, brakeman, was injured on the Central Vermont railway at Brattleboro on April 14, 1905. Cushing's arm was mangled and his head cut but the injured man was unable to say how the accident happened and there were no witnesses. No further information could be obtained in regard to the accident and so no public investigation was ordered.

J. W. Richards, conductor, was injured on the Rutland railroad at Alburgh April 16, 1905. Richards caught his heel in an iron step as he was getting out of the caboose car; he fell to the ground and in some way one leg was fractured in two places. No public investigation into the cause of this accident was considered necessary.

Horace D. Smith was thrown from his team at Brattleboro on the Central Vermont railway on April 20, 1905. Smith's horses became frightened by an engine; Mr. Smith was thrown from the wagon and his right leg broken above the ankle. It was not a railroad accident.

William McKell, brakeman, was injured on the Central Vermont railway at Waterbury April 18, 1905. McKell was struck on the head by a water spout or the Stowe street bridge. His face was cut and bruised but his injuries were not serious. No public investigation was considered necessary.

William Perry was very slightly injured at Montpelier March 2, 1905. He drove in front of a moving car of the Barre & Mont-

pelier Power & Traction company; assumed all responsibility for the accident and so no public investigation was ordered.

Paul Garrette, laborer, was killed on the Canadian Pacific railway near Richford April 21, 1905. He was a trespasser upon the track of the Canadian Pacific railway company and was struck by an engine. No public investigation of this accident was deemed necessary.

William (or Sheridan) Morrill, laborer, was killed upon the Rutland railroad at Vergennes May 2, 1905. Investigation showed that while attempting to board some north bound train he was struck and run over, and instantly killed. No public investigation of this accident was deemed necessary.

J. F. Judge, conductor, was injured on the Rutland railroad at Manchester May 15, 1905. A block of marble fell from a car first ahead of the caboose and the caboose was derailed, throwing conductor Judge from the top. He was very slightly injured and soon after the accident returned to work. No public investigation of this accident was deemed necessary.

M. Donnelly, brakeman, was injured on the Rutland railroad at Proctor May 11, 1905. He was engaged with other members of his crew unloading a railroad frog from a car; in some way or other the frog fell against his right leg which was cut and bruised and his toes injured. No public investigation of this accident was deemed necessary.

George W. Quinn, brakeman, was injured on the Barre railroad near Jones Brothers' quarry April 4, 1905. The accident was of a trivial nature and no public investigation was deemed necessary.

Mrs. James Moylan was injured on the Rutland street railway in the city of Rutland May 15, 1905. The car upon which Mrs. Moylan was riding was derailed from some unknown cause and she jumped from the car, sustaining a fracture of the small bone of her leg. Other passengers upon the same car who did not jump were uninjured. No public investigation of this accident was deemed necessary.

Louis Dumas was slightly injured on the Central Vermont railroad at Randolph June 9, 1905. Dumas was mentally unsound and deliberately stepped in front of train No. 5 as it approached the station. He was only slightly injured. No public investigation of this accident was deemed necessary.

C. A. Miller, brakeman, was injured on the Rutland railroad at Manchester June 17, 1905. As Miller was boarding the engine his foot slipped and a wheel ran over his left foot, cutting off the great toe. The accident was caused by Miller's own careless act and no public investigation was deemed necessary.

N. L. Sexton was injured on the Rutland railroad near Brandon June 20, 1905. Sexton was an employee of the road department and in the discharge of his duties was caught between the aprons on a gravel car at the Brandon gravel pit; his foot was jammed but no bones were broken. No public investigation of this accident was deemed necessary.

Patrick McMann, 13 years old, was injured on the Rutland railroad at Rutland July 13, 1905. He stepped upon the track in front of an approaching train and was struck and bruised about the head and face; the engineer sounded the whistle but the boy failed to notice the same and was struck before the engine could be stopped. He was a trespasser upon the track of the Rutland railroad company and received his injuries by reason of his own carelessness. No public investigation was deemed necessary.

W. H. Lewis, yard clerk, was seriously injured on the Rutland railroad at Alburgh July 18th, 1905. Lewis was checking cars in the yard at Alburgh and in crossing over from one track to another was struck by engine 394 which was backing down on to a train; Lewis was thrown from the track and sustained fractures of both legs. The accident was caused by reason of carelessness of the victim and no public investigation was deemed necessary.

Paul R. Keiser, brakeman on the Mt. Mansfield electric railway, was injured near the power station in Stowe July 14, 1905. He was slightly injured while in the discharge of his duties as a brakeman and no public investigation was deemed necessary.

James McGettrick was injured on the St. Johnsbury and Lake Champlain railroad near Sheldon Junction July 5, 1905. McGettrick was lying beside the track and was struck by train No. 41, receiving a wound upon the scalp. He was a trespasser and no public investigation into the cause of this accident was deemed necessary.

Frank Mott was fatally injured on the Rutland railroad near the state line east of Rouses Point August 2, 1905. Mott was found by the engineer of extra 388 on the Rouses Point bridge. He had evidently been struck by some train but no further information could be obtained relative to the accident, and so no public investigation was ordered.

Jno. Harty was injured on the Rutland railroad at Bellows Falls August 23, 1905. Harty was a passenger on train 153 and when he jumped from the moving train one foot was run over. The accident was caused by the carelessness of the victim and no public investigation was ordered.

Edith Counter jumped off a train on the Rutland railroad near Leicester Junction September 11, 1905. She was not injured.

Manuel Viera was killed on the Central Vermont railway at Williamsville August 17, 1905. Viera was a bridge man employed by the Central Vermont railway company and fell from the superstructure of a bridge and was instantly killed. This was not such a railroad accident as required any investigation by the commission.

Ed Lareau, yard brakeman, was injured on the Rutland railroad at Alburgh September 13, 1905. While engaged in the discharge of his duties as a brakeman his foot slipped between the draw bar head and head block of two cars and his foot was cut and bruised. No public investigation into the cause of this accident was deemed necessary.

Fred Harvey was fatally injured on the Boston & Maine railroad September 23, 1905. Harvey was an engineer of extra 457 which was standing on a siding to allow a passenger train to pass; he was oiling his engine and did not clear the main line sufficiently; he was struck by the passing engine and received injuries which afterwards resulted in his death. An investigation made by one

of the commissioners showed that the accident was caused by Harvey's careless act in standing too near the main line, so no public investigation was ordered.

C. W. Agan was injured on the Boston & Maine railroad at White River Junction October 13, 1905. Agan fell while attempting to board a train in motion and one foot was run over, requiring amputation at the ankle. There were no witnesses to the accident and it is alleged that Agan was a trespasser at the time the accident occurred. Agan was interviewed by a commissioner and stated that he attempted to cross over between two cars and just as he made the attempt the train started up and he lost his balance and fell, the trucks running over one foot. Agan stated that he attached no blame to any employee or to the Boston & Maine railroad, so no public investigation was ordered.

George Mitchell was injured on the Rutland railroad near Alburgh October 24, 1905. Mitchell was an employee on the section and was attempting to straighten out a cable when he received slight injuries to his leg and right shoulder. The accident was not one requiring to be investigated by this commission.

M. J. Haley, brakeman, was killed on the Central Vermont railway at Burlington November 13, 1905. Haley was adjusting a coupler between an engine and passenger coach when his head was caught between the buffer beams and he was instantly killed. There were no witnesses to the accident but in compliance with the rules of the company Haley should have performed this work from the platform of the car. Investigation by a commissioner showed that he received the injuries which resulted in his death by reason of his own careless act and so no public investigation was ordered.

Beaneanione Rosso, laborer, was injured on the Central Vermont railway at Northfield November 20, 1905. Rosso was a trespasser upon the track of the Central Vermont railway company and in watching extra 405 he failed to notice the approach of extra 407 and was struck, sustaining injuries to one foot and cuts upon his head. No public investigation in this case was ordered.

Henry A. Carter, brakeman, was killed upon the Boston & Maine railroad at Wells River December 15, 1905. Investigation

by a commissioner showed that Carter, while in the discharge of his duties as a brakeman, fell from the car while the train was in motion and was run over. It did not appear that there was any fault upon the part of the company or Carter's co-employees and so no public investigation was ordered.

G. P. Horan, brakeman, was injured on the Rutland railroad at South Shaftsbury December 16, 1905. Horan, while getting off an engine, was struck by an express truck and knocked under the train; his left leg was broken between knee and ankle and he sustained other slight injuries. Investigation showed that Horan received his injuries by reason of his own carelessness and so no public investigation was ordered.

F. S. Reynolds, brakeman, was slightly injured on the Rutland railroad at Rutland December 5, 1905. While in the discharge of his duties his foot slipped between the main line and a guard rail and was somewhat bruised. The accident was of a trivial nature and no investigation was ordered.

Albert Hazelton was instantly killed on the Rutland railroad at Proctorsville December 9, 1905. Hazelton evidently attempted to cross the track in front of a moving engine. Investigation by a commissioner showed that the accident occurred by reason of Hazelton's carelessness and that no fault is attributable to the Rutland railroad or its servants or employees, and so no public investigation was ordered.

C. A. Ryan, brakeman, was slightly injured on the Rutland railroad at Manchester December 19, 1905. In jumping off a train to set a switch he fell through a bridge and one leg was slightly strained. No public investigation of this accident was deemed necessary.

John Connors was injured on the railroad of the Burlington Traction company in the city of Burlington December 23, 1905. Connors was a passenger upon a car and attempted to get off the front end before the car stopped. He sustained injuries to both legs, one of which was amputated. Investigation showed that the accident was caused by reason of the careless act of Connors so no public investigation was ordered.

H. S. Roach was very slightly injured on the Rutland railroad at Burlington December 29, 1905. Roach's injuries were of a trivial nature and no public investigation was ordered.

John Miller was slightly injured on the Rutland railroad near South Shaftsbury January 2, 1906. Miller was deaf and walked on to a highway grade crossing in front of a moving train. His injuries consisted of only a bruise upon the right hand and so no public investigation was ordered.

Mrs. Lewis Edmunds was injured on the Rutland railroad at South Wallingford February 3, 1906. Mrs. Edmunds, while alighting from a passenger train, slipped on the steps of the coach and her left arm was broken and one shoulder and hip were bruised. No public investigation was ordered in this case.

D. W. Drislane, brakeman, was fatally injured on the Rutland railroad at Bellows Falls February 4, 1906. While riding on the rear end of tender of engine 1000 Drislane slipped and fell on the track; both legs and right arm were cut off, from which death resulted later. A public investigation was appointed but the hearing has been continued from time to time for various reasons that were considered sufficient. It will be held later.

J. J. Sheridan, brakeman, was injured on the Rutland railroad at Vergennes February 8, 1906 while unloading freight from a car into the freight house. No public investigation of this accident was deemed necessary.

P. J. Keefe, brakeman, was injured on the Rutland railroad at North Bennington February 17, 1906. He was caught between a moving car and a platform and badly bruised, but no bones broken. At the time of the accident he was engaged in making a coupling and upon the investigation of one of the commissioners it was concluded that no public investigation was necessary.

John Pinkerton, brakeman, was injured on the Rutland railroad at Bellows Falls February 22, 1906. He was caught and squeezed between moving cars and an elevated track on account of insufficient clearance. No public investigation was ordered on this case.

Marvin Sanders, brakeman, was slightly injured on the Rutland railroad at Manchester February 28, 1906. In alighting from a moving train to throw a switch he dislocated an ankle. No public investigation was ordered in this case.

F. C. Burgess, provision dealer, was injured on the Boston & Maine railroad near Norwich March 1, 1906. Burgess' team was struck by train No. 9 at a highway grade crossing; the horse was killed and Burgess was somewhat injured about the head. No public investigation was ordered.

John Kinney, brakeman, was fatally injured on the Rutland railroad at North Bennington March 4, 1906. He was standing on the track and failed to notice that a shunted car was approaching. It did not appear that any fault could be attributed to the railroad company or its employees. Kinney's injuries proved fatal the same day.

H. Paine, engineer, was slightly injured on the Woodstock railway near Taftsville March 5, 1906. His engine was derailed on account of ice on the track and Paine received slight injuries. From an investigation by a commissioner it was concluded that no public investigation was necessary.

H. S. Myers, yard brakeman, was slightly injured on the Rutland railroad at Alburgh March 15, 1906. While crossing a turntable one foot went into a hole in the planking of the turntable and a ligament was strained. No public investigation was deemed necessary in this case.

A. B. Puffer, farmer, was slightly injured on the Central Vermont railway near Underhill March 26, 1906. Puffer was driving a horse which he was unable to control and his team was struck at a highway grade crossing. He sustained only slight cuts upon the head and no public investigation of this accident was deemed necessary.

Fred Goodroe was injured on the Central Vermont railway near East Swanton March 29, 1906. Goodroe was a resident of Bedford, P. Q. and was lying on the track at the time of the accident; he was run over by an extra north bound train and both legs were severed below the knee. He was a trespasser.

M. L. Walbridge, laborer, was fatally injured on the Boston & Maine railroad at Windsor March 23, 1906. He was a trespasser upon the track of the Boston & Maine railroad and at the time of the accident was walking between the main line and a side track, when he was struck by a passing engine and killed.

P. Powers, farmer, was fatally injured on track of the Delaware & Hudson company near West Pawlet March 31, 1906. At the time of the accident Powers was trespassing upon the track of said company and it is supposed was struck by some passing train. No further information regarding the accident could be obtained.

Joe Dudash was fatally injured on the Rutland railroad at Bellows Falls April 9, 1906. Dudash was employed in the boiler house of the International Paper company and how he received the injuries which resulted in his death is unknown.

An unknown man was killed on the Central Vermont railway near Montpelier Junction April 26, 1906. There were no witnesses to the accident and no information as to the cause could be obtained.

Santo Linzzo, section man, was injured on the Rutland railroad at New Haven Junction May 9, 1906. Standing too near the track he was struck by the cross beam on the front of engine 2041 hauling train No. 54; two ribs were broken. No public investigation was ordered in this case.

Daniel Davis was injured on the Rutland railroad near Chester May 14, 1906. Davis was a trespasser upon the track of the Rutland railroad and while crossing bridge 118 near Chester was struck by the buffer beam of a passing engine and received injuries about the head and one hand. No public investigation was deemed necessary.

H. I. Stacy, fireman, was slightly injured on the Central Vermont railway near Montpelier Junction May 19, 1906. The train crew of extra 208 mistook extra 858 for 93 which they were to meet at Montpelier Junction and a collision occurred. Stacy's right arm was slightly sprained and no other person was injured.

The responsibility for the accident rested with crew of extra 208 and no public investigation of the accident was required to fix this responsibility.

Dennis McGuy was killed on the Boston & Maine railroad at North Walpole, N. H., on the 22nd day of May, 1906. McGuy was a trespasser upon the track of the Boston & Maine railroad and was run over and instantly killed by a passing train. This accident was reported as having occurred within the state of New Hampshire and no investigation could be made by this commission.

Andrew Wark, stone cutter, was instantly killed on the Boston & Maine railroad near Wells River May 30, 1906. No information regarding the accident could be obtained; it is supposed that Wark was struck by some train, his body being afterwards found upon the track. No investigation was ordered.

E. W. Brown and M. Vitalian, laborers, were fatally injured on the Central Vermont railway at White River Junction June 14, 1906. A sand drum exploded and these two men were so badly injured that death resulted. The accident was not caused by the operation of a train and was not such an accident as the law requires to be investigated by this commission.

James Mountain was instantly killed on the Central Vermont railway near Brattleboro June 20, 1906. Mountain threw himself in front of a train. Investigation showed that the man committed suicide.

Dwight Bradley, a little child three years old, was killed on the Central Vermont railway near Bethel June 29, 1906. The child sat down upon the track and when discovered by the engineer it was impossible to stop in time to avert the accident.

M. Baker, farmer, was injured on the Central Vermont railway at St. Albans June 30, 1906. Baker was walking on the track in the passenger station, and was struck by a passing engine; his collar bone was broken, right side bruised and head cut. Investigation by a commissioner disclosed the fact that Baker was injured by reason of his own carelessness and no public investigation was ordered.

TABLE I.

ACCIDENTS FOR TWO YEARS ENDING

NAME OF COMPANY	PASSENGERS			EMPLOYEES			OTHERS			TOTAL		GRAND TOTAL	COUPLING AND UNCOUPLING.	
	Killed	Injured	Total	Killed	Injured	Total	Killed	Injured	Total	Killed	Injured		Killed	Injured
1 Barre.....	1		1	5	1	5	8	4	12	14	1	1	1	
2 Boston & Maine.....														
3 Bristol.....							2		2	2		2		
4 Canadian Pacific.....	1	26	27	11	19	30	18	9	27	30	54	84	2	
5 Central Vermont.....				1	1	2		1	1	1	2	3		
6 Clarendon & Pittsford.....		2	2		3	3	7		7	7	5	12		
7 Delaware & Hudson.....														
8 Grand Trunk.....														
9 Hardwick & Woodbury.....														
10 Hoosac Tun. & Wilmin'n.....														
11 Manchester, Dorset & Gran.....														
12 Maine Central.....							1		1	1		1		
13 Montpelier & Wells River.....														
14 Rutland.....		8	8	5	32	37	19	8	27	24	48	72		2
15 St. John's ry & Lk. Champ'n.....							5	1	6	5	1	6		
16 White River.....								1	1		1	1		
17 Woodstock.....					1	1					1	1		
Totals.....	2	36	38	22	57	79	60	24	84	84	117	201	3	2

TABLE II.

ACCIDENTS FOR TWO YEARS ENDING JUNE 30, 1906—ELECTRIC RAILWAYS. VERMONT.

NAME OF COMPANY.	KIND OF ACCIDENT.												
	PASSENGERS.			EMPLOYEES.			OTHERS.			TOTAL.			Grand Total.
	Killed	Injured	Total	Killed	Injured	Total	Killed	Injured	Total	Killed	Injured	Total	
1 Barre & Montpelier Traction.	...	...	...	...	...	...	...	...	...	...	...	...	1
2 Bellows Falls & Saxtons River.	...	...	...	...	...	...	...	...	...	...	...	...	1
3 Bennington & Hoonick Valley.	...	...	...	...	...	...	...	...	...	...	...	...	1
4 Brattleboro.	...	...	...	...	...	...	...	...	...	...	...	...	17
5 Burlington Traction.	17	17	...	...	...	...	...	...	...	...	...	...	17
6 Military Post.	...	...	...	...	...	...	...	...	...	...	...	...	1
7 Mount Mansfield.	...	...	...	...	...	...	...	...	...	...	...	...	1
8 Rutland.	...	1	1	...	...	...	...	...	...	...	...	...	1
9 Springfield.	...	...	...	...	...	...	...	...	...	...	...	...	1
10 St. Albans.	...	...	...	...	...	...	...	...	...	...	...	...	1
Total.	18	18	...	2	1	3	1	1	2	2	20	22	22

Physical Condition of Steam Railroads.

A special inspection of the bridge structures on the White River railroad was directed by the commissioners on July 1st and the examination was made by Charles F. Stowell, bridge engineer of the commission, on July 3rd, 10th and 11th, 1906. As a result of this inspection the White River railroad was closed to public travel on September 13th, 1906, by order of the commission. This action occurred too late to be inserted in the chapter entitled "complaints, petitions and orders," and so appears in this place.

SPECIAL INSPECTION OF WHITE RIVER RAILROAD.

On July 3rd, 10th and 11th, 1906, Mr. Charles F. Stowell, bridge engineer of the Vermont railroad commission, made an examination and inspection of the bridge structures on the line of the White River railroad at the instance and request of this commission. On July 13th, Mr. Stowell made his report to this commission in the words and figures following:

ALBANY, N. Y., July 13, 1906.

To the Board of Railroad Commissioners, State of Vermont:—

GENTLEMEN:

In accordance with your instructions on the 3rd, 10th and 11th insts., I made an examination of the bridge structures on the line of the White River railroad and have to report thereon as follows:

All the bridges on this road except the Stony Brook bridge were built in 1899 or 1900, and of these bridges all except four or five short I beam stringer bridges are built of spruce lumber, a material which is not long lived when exposed to the weather, and such structures could only be regarded as temporary and

necessarily subject to renewal in a very few years. The evidence of increasing decrepitude, the necessity of more and more extensive repairs and the approach of the time when these bridges would have to be renewed has been indicated in the reports of my inspections made to you from time to time. In 1901 I found the bridges "in good physical condition, their age not being such as to cause any appreciable deterioration by decay as yet. But the sizes of the timber used in many of them are so small that no margin is left for weakening by decay and they will have to be renewed at the first sign of weakness." In 1903 I found the bridges rapidly deteriorating and reported them "in such condition that they are badly in need of a thorough and minute examination by an experienced bridge man. The time at my disposal when my inspection was made was not sufficient to enable me to specify all the defects and suggest remedies for them, but it was sufficient to demonstrate that a thorough examination by an experienced bridge man with a view to extensive repairs and renewals is urgently necessary." In 1905 I reported that "the timber in the short span Howe truss bridges is now nearing its age limit and several of these bridges are beginning to show serious decay. None of these bridges will last more than a very few years longer and until they are entirely rebuilt they will require close watching and probably frequent repairs to keep them safe to carry trains." I now have to report that the time has come when most of these bridges have outlived their usefulness and that the progress of decay has so far advanced that radical measures are immediately necessary if travel is to be kept up over them.

These bridges have been repaired from time to time, as I am informed, under the direction of a Mr. Nichols who is said to be an old and skilled builder of wooden bridges and who overhauled and repaired some of them as recently as two months ago. The work done by him was skilfully and judiciously performed and, as far as I am able to judge, he at that time repaired all the worst spots and where failure was obviously impending. Ordinarily such repairs as were then put on the bridges, with perhaps minor additional repairs, would keep them in reasonably fair condition for a year or thereabouts, but in these cases the life of the bridges was so far gone that the repairs thus recently made have not availed to stop the process of dissolution even temporarily and there are numerous signs of rapid and increasing failure on the bridges repaired as recently as within two months.

The bridges generally are beyond the stage of repair and the

only thing to do is to rebuild them at once, meanwhile making such provision for their temporary safety as will enable them to carry trains until new bridges can be put in place.

I have told the superintendent of the road what, in my opinion, is necessary to be done to secure such temporary safety and have his assurance that it will be done at once. Some of the things have already been done. But it is to be clearly understood that such temporary safeguards as I have recommended are not expected nor intended to carry the bridges over for another season. Furthermore it is quite likely that further signs of impending failure will continue to be found, necessitating still further remedies, before new bridges can be built. And it is also essential that until such new bridges are built the present structures should have the most careful and searching scrutiny constantly exercised over them to detect and apply an immediate remedy to every new spot where weakness shows itself, and of which I anticipate there will be a number.

Following is a detailed list of the bridges criticised and the temporary repairs recommended, beginning at the upper end of the road.

FORD BRIDGE.

This bridge consists of three spans pile trestle at the west and four at the east end with a Howe truss span of 40 feet length between, resting on pile bents.

This bridge has a new and good flooring but the trusses are badly decayed in almost every part. They have been repaired so as to render them safe for temporary and cautious use but will not last till another year and should be rebuilt at once.

In the pile bent forming the west abutment, both bearing piles are rotted at the core but they have enough sound timber to carry them until next year, if necessary, but will then need renewing. The balance of the pile bents are in water and inaccessible for examination. It is probable that near and below the water line they are sound but it is equally likely that their upper ends will be found more or less decayed if examined with an auger. It is not economical construction to place a truss bridge on pile supports except for temporary use and I suggest that the time has now come when economy as well as permanent safety would dictate a single span across this stream, of a permanent character and resting on masonry abutments, thus relieving the stream of the obstruction

caused by the present pile bents and obviating the danger of accident by the carrying away of one or more of these bents by ice or flood wood.

BRONSON TRETTLE.

This bridge consists of eleven spans of pile trestle with one span trussed beam, about 30 feet long.

The bridge has inside guard rails and has recently had new ties and been generally overhauled so that it appears to be in pretty fair physical condition, though the piles forming the east abutments were found to be badly decayed and recommended for immediate repairs, which were promised.

I have heretofore several times called attention to the fact that the truss rods used on the truss stringers on this road are of unusually light character for the loads they have to carry and have recommended their strengthening, which has not been done. Owing to the low rate of speed maintained on the bridges there is very little of the impact effect which would occur in the case of greater speed, and no doubt this has contributed to the safety of these truss rods. Up to this time these rods have performed their functions satisfactorily and may continue to do so indefinitely under the same conditions and unless some emergency should overtax them. They are not strained so heavily under ordinary loads that they can be considered immediately dangerous, but they are not far from the limit and it would have been a wise precaution to strengthen them as recommended.

A cast iron saddle forming a bearing for the nuts at one end of the trussed span has broken in two, apparently by reason of its not having a flat and uniform bearing against the timber. A new one should be provided.

I see no good reason why a good part at least of this trestle could not be filled with advantage. Probably it would be necessary to maintain some opening for overflows.

WEST BRANCH BRIDGE.

This bridge consists of two Howe truss spans of 40 feet each, with one span of trestle at the east end, all on pile supports. The piles are inaccessible but from their age it is likely that their upper parts would be found pretty far gone with decay. The truss spans themselves are in a distressingly poor condition, being badly de-

cayed in almost every part. They have been repaired from time to time as weaknesses developed and appear to be carrying their loads at present without signs of immediately impending failure but they are much too far gone to be depended upon for any length of time and the whole bridge should be renewed as soon as practicable, meanwhile keeping close watch over the present structure to detect any signs of failure and strengthening it immediately upon the appearance of such signs.

What is needed here for permanent safety is a single span iron or steel bridge of about 100 feet clear opening on masonry abutments. One of the pile supports of the present bridge is so located that it is reasonably sure to be carried away whenever any heavy ice comes down the stream.

The floor on this bridge is quite poor, consisting of old ties, widely spaced, with no guards and free to move about as many of them are doing. In the event of a derailment on the bridge the ties would be almost sure to "bunch" and let the trucks of a car through.

MESSER BRIDGE.

This bridge consists of two spans Howe truss of 40 feet each, on pile supports, with four spans pile trestle at the east end and six spans at the west end. The bridge has recently been repaired and patched up and a bent placed under the west span, but this was not sufficient to arrest the process of dissolution and the bridge shows many signs of continued failure since these repairs were made, which was very recently. The east span sags about three inches and for temporary safety I recommend the placing of a bent under it the same as under the west span, and which is promised immediately. Both these temporary bents, however, are quite sure to be carried out by the first considerable freshet and in that case traffic over the bridge should be stopped until they can be replaced. The piles under the truss spans, as far as they can be examined, appear to be quite badly decayed. The trestle approaches have recently been overhauled and seem to be in fair condition for temporary use.

The bridge should be removed as soon as practicable and a safe structure erected in its place, meanwhile keeping close watch of the old structure to detect and remedy evidences of failure as fast as they appear.

RACEWAY BRIDGE.

This bridge comprises one span Howe truss of 40 feet length on pile supports, with four spans pile trestle approach at the east end and fourteen spans at the west end.

The bridge has recently been repaired, many new piles put in the trestle, additional rods put in the trusses and the floor newly tied, about nine-tenths of the ties being new this year. The floor is not furnished with guards but the ties are blocked to prevent "bunching." The bridge looks good for present use but the trusses are decaying and will not last longer than this year. What is needed here is a single span of about 75 feet clear opening and the filling of the balance of the trestle.

ROGERS BROOK BRIDGE.

This bridge is a wooden stringer structure of twelve feet span on wooden abutments.

The stringers are beginning to decay but will be safe for another season. The ties on the bridge are quite poor and ought to be replaced. The blocking on the west abutment is bad and needs immediate attention, which was promised.

BREAKNECK TRESTLE.

This trestle, formerly 200 feet long, has been filled except one span over a small stream and three approach spans, two at the east and one at the west end. Some of the piles are showing decay but not enough as yet to be dangerous. One cap was found broken and needing immediate propping, which was promised. The span over the stream has a good floor but there are no guards on the approach spans. This bridge will last until next season but by that time will no doubt require extensive repairs or the entire renewal of the parts below the deck.

WHITCOMB BRIDGE.

This bridge consists of five Howe truss spans on pile supports with trestle approaches at both ends. The trusses are very badly decayed, and though repaired last spring have commenced to fail in many places since then. The bridge needs to be rebuilt as soon as it can be done. It should not be allowed in service another year. Meanwhile for temporary safety I recommended iron yokes

at two places where the braces had split off shoulders on the lower chords, also that all the trusses be blocked up on top of cribs to give more bearing surface and that one particularly poor top chord stick be spliced with reinforce timbers. With close watch to detect and remedy defects as they appear it will carry trains until a new bridge can be put in.

This bridge is very badly located. It crosses the stream on an angle of about 45 degrees but the piers are set "square" with the bridge and their number and size is such that it is apparently impossible for any floating object to pass under the bridge without striking one or more of the piers. What is needed here is a bridge in two spans with a pier in the middle of the stream and placed on a skew to match the direction of the current.

STOCKBRIDGE TRESTLE.

This bridge consists of a Howe truss span 30 feet long over a stream, with about 53 spans of pile trestle at the east end and 27 spans at the west end.

This trestle when built was the best one on the line but its usefulness is now about gone and it needs and has needed frequent repairs for some time past to keep it in passable condition. The floor on the trestle is quite good, the ties being sound and the track generally in fair line and surface but there are no guards on the bridge to protect a derailed truck beyond the blocking of the ties to keep them from "bunching."

The trestle spans of this bridge have been repaired from time to time as occasion seemed to demand it and many of the pile bents reinforced by additional braces and many new stringers inserted in place of old ones, but the timber is so far gone that this process of renewal and patching will have to be a continuous one if the structure is to be kept safe for traffic. The last repairs were evidently made quite recently but my examination showed a considerable number of places where further failure had commenced and repairs were immediately necessary. I advised the immediate replacing of a number of old stringers which had recently begun to fail by crushing and splitting, and of a number of caps which showed defects, also the reinforcing of a number of piles which through decay had begun to fail. These repairs have, I believe, all been done but it is not to be understood that they are expected to make the bridge safe for any great length of time. They are only intended as measures to prevent immediate impending failure and

the bridge can only be safely continued in use by constant watchfulness to detect similar incipient failures which will probably be frequently found, and which should be remedied as soon as they appear. All of the original stringers in the bridge are about past their period of usefulness and may be expected to require renewal in rapid succession as long as the bridge is in use. The piles are rapidly getting worn out and will need frequent reinforcing.

The truss span has been patched and strengthened but is in such a condition that it is not safe to use it another year. I recommend that it be renewed as soon as practicable.

There is no reason why a large part of this bridge should not be filled, and both safety and economy demand that this be done. About 46 spans of the east approach can and ought to be filled at once. The balance of this approach will need to be left open for floods. In the west approach short openings will have to be left for a roadway and a mill race but with these exceptions this approach should also be filled. The rest of the bridge needs rebuilding, practically throughout up to the floor. If this is done in timber it will last six or seven years and then need to be repeated. In the long run it will be found much more economical to put in permanent construction.

STONY BROOK BRIDGE.

This is a Howe truss bridge in two spans, built of yellow pine in 1903, with five spans trestle approach at the east end and three spans at the west end. The truss spans rest on stone masonry of good appearance and the entire bridge is in good shape. It will not remain so much longer, however, unless the trusses are protected from the weather. The seeds of decay have already been sown by this time and unless protected it is likely that another year will show that the process of dissolution has commenced.

EAST BRANCH BRIDGE.

This bridge consists of two spans Howe truss of about 44½ feet each with three spans pile trestle at the west end. The west abutment under the bridge was originally of stone, the same as the east abutment and center pier but was washed away several years ago and the trusses rest on a framed bent of 12x12 inch timbers.

The trusses in this bridge are beginning to show the effects

of age but their strength is not seriously impaired as yet. Next year it is likely that extensive repairs or renewals will be needed. Many of the ties on these spans are very poor and the guard timbers are nearly as bad. Very few ties have sufficient strength to hold spikes, several of which I lifted out of their holes. The guard timbers look better than they are. By boring it is found that they are little more than a shell of sound wood and entirely inadequate for their intended use. At least half of the ties should be renewed at once and provision made against "bunching" much more effectively than that afforded by the present guard timbers.

In the framed bent under the west end of the truss span the timbers are badly season checked, some of the openings being a full inch. The strength of the timber as a brace is greatly reduced by this and all such timbers should be bolted at intervals of about 18 inches. The plumb post at the south end of this bent is working out of place at the top and has moved about $3\frac{1}{2}$ inches. It should be brought back and secured in place.

The pile bent next west of the framed bent has seven piles, four of which are badly decayed while the other three appear to be sound. This bent needs reinforcing.

The next bent west is composed of four piles, all of which show some decay in the center. These piles however are of unusually large size and have enough strength to carry them safely until next season. Next year they will need renewal. This bent is capped with two 4x10 inch sticks, framed against and bolted to the tops of the piles. The top of the north pile of this bent is rotted and crushing into both cap sticks and the caps are splitting. This bent needs recapping at once, which should be done by cutting off the tops of the piles and placing on them a single cap not less than 10x12 inches in size, covering the entire top of the pile, and securing to the piles by drift bolts or other effective method.

To summarize, I recommend as essential to safety the immediate rebuilding of the following bridges, namely—Ford bridge, West Branch bridge, Messer bridge, Whitcomb bridge and truss span of the Stockbridge bridge; the filling as far as practicable of Bronson and Stockbridge trestles, and the repairing of other bridges as noted. I also recommend that on all the bridges above noted as requiring rebuilding the speed of trains be limited to five miles per hour as long as the bridges continue in use.

I have also been directed by you to note the general condition

of the road aside from the bridges. I find that the road is in very poor condition and badly in need of both material and labor. The surface and alignment are poor, the joints low, the ditches filled, the road bed in many places overgrown with grass and weeds and the presence of ties absolutely gone to pieces with decay is obtrusively prominent. The eight section men employed on the nineteen-miles of track are doing the best they can and what work they are able to accomplish is generally well done. About 3000 ties have been put in the track this year and have been judiciously distributed where they would do the most good but many more are urgently needed. Stretches of track show in many places six or eight ties in succession falling to pieces with decay. Ballast is and always has been much needed and with the comparative abundance of good ballast along the road it is a very short sighted policy not to have more of it under the ties. At places where gravel and clay banks are close to the track this material has slid down and covered the ties in some places up to the tops of the rails. Unless a very large amount of retieing and ditching is done I do not see how it will be possible to operate the road during next winter and spring.

All of which is respectfully submitted,

CHARLES F. STOWELL.

On July 19th, 1906, this report was called to the attention of Mr. Samuel Williams, president of the White River railroad, by a personal interview at his office in Boston, and a verbal demand was made upon him requiring the immediate renewal and rebuilding of the following bridges: Ford bridge, West Branch bridge, Whitcomb bridge and truss span of the Stockbridge bridge; also the filling of the Bronson and Stockbridge trestles and the repairing of the other bridges on the road substantially as noted in the report of engineer Stowell.

No substantial progress having been made in this work the commission on August 27, 1906, notified the White River railroad company, through its president Mr. Samuel Williams, that this commission would meet at its office in the state house at Montpelier Wednesday, September 5th, 1906, at 10 o'clock in the forenoon to hear all parties in interest in the matter of the physical condition of the said White River railroad and notified said company to show cause why said White River railroad should not be forthwith closed to public travel both freight and passenger in the interests of the safety of the public and in pursuance of the law of the

state of Vermont in such case made and provided. At said hearing the White River railroad company appeared by E. L. Waterman and J. J. Wilson, attorneys, and the interests of the public were represented, at the request of the commission, by Frank Plumley. A partial hearing was had and an adjournment made to meet at Bethel September 12, 1906. In the mean time engineer Charles F. Stowell, for the commission, made a second examination of many of the bridge structures upon said White River railroad and at said last mentioned hearing Mr. Samuel Williams, president of the road, was present and also E. L. Waterman and J. J. Wilson, attorneys for said White River railroad company.

The evidence of Mr. Stowell and of Mr. John R. Tupper, superintendent of the White River railroad, was taken and the parties were fully heard. The evidence disclosed that the bridge structures upon said railroad have rapidly deteriorated in strength since the inspection made by Mr. Stowell in July, 1906, and that in particular the Stockbridge trestle, a structure more than nine hundred feet in length, is absolutely unsafe for the operation of trains. Defects and failures in this and other bridge structures are both serious and frequent. Temporary repairs are made from time to time as defects are discovered but the examination of engineer Stowell disclosed the fact that failure is imminent at any time on several of the bridges and trestles and especially upon the Stockbridge trestle.

It is the judgment of the commissioners that the security of the public is not properly provided for if trains are allowed to be operated over this road until these bridge structures are repaired and rebuilt in accordance with the recommendations of engineer Stowell as set forth in his report, which is made a part of this order.

It is therefore ordered that the White River railroad company immediately rebuild the Ford bridge, the West Branch bridge, the Messer bridge, the Whitcomb bridge and the truss span of the Stockbridge bridge and also fill or rebuild both the Bronson and Stockbridge trestles, and make such other repairs as are noted and recommended in the report of engineer Charles F. Stowell on the other bridge structures of said company not already completed in accordance with such recommendations.

And it is further ordered that after midnight September 17, 1906, no freight or passenger trains be operated by said White River railroad company over said railroad until this order

has been fully complied with and permission therefor first had and obtained of the board of railroad commissioners of the state of Vermont.

Done at St. Albans, Vt., this 13th day of September, 1906.

FULLER C. SMITH,

H. S. BINGHAM,

GEO. T. HOWARD,

Railroad Commissioners.

BARRE RAILROAD.

This road is 9.26 miles in length and with its spurs, yard tracks and sidings has an aggregate mileage of 27. The rails are largely of steel weighing 60 pounds to the yard, with four bolt angle bars. It is tied 2800 to the mile and during the year 1904, 4832 new ties were laid and in 1905 the number of renewals was 5064. Of these about one-third were of cedar and the balance of hemlock. The road is used principally for the transportation of granite from the quarries to Barre city. The road-bed is in fair condition and sufficiently stable for the service required of it.

The bridges and trestles of the road are in good condition. The special statutory requirements covering crossing signs, cattle guards and the blocking of switches and guard rails are fully complied with. The two depots upon the line, one at East Barre and one at Boutwells, are entirely adequate for the business of the road.

BOSTON & MAINE RAILROAD.

The Boston & Maine system in Vermont includes that part of the Connecticut and Passumpsic divisions from White River Junction to the Canadian line in the town of Derby, a distance of 111.25 miles; a portion of the Fitchburg division from the Massachusetts line, across the town of Pownal, to the New York line, two single tracks with a total of 12.70; and the Vermont Valley railroad from Brattleboro to Bellows Falls, a distance of 24 miles.

The Vermont Valley line is in first class condition, laid with 75 pound steel and tied 3200 to the mile. During the year 1904, 5128 new ties were laid, nearly all of which were chestnut; in 1905 the

tie renewals were chestnut 5234, oak 555. The road-bed is well drained and each section is well policed.

The bridges on this line are mostly of iron, steel or stone arch construction and are in first class condition.

The depots are adequate for the reasonable service of the public and are very well kept.

Specially statutory requirements calling for crossing signs, tell-tale warnings and cattle guards and also the blocking of switches, frogs and guard rails are satisfactorily complied with.

On the Connecticut and Passumpsic division new 75 pound steel rails have been laid between White River Junction and Bradford, to take the place of the 56 pound steel; this part of the line is now in first class condition. During the year 1904 there were laid upon the Connecticut and Passumpsic division in Vermont 40214 ties, largely of chestnut and cedar; and in 1905 45474 new ties were laid of which nearly 40000 were chestnut. The road-bed is well ballasted and well drained.

Bridge number 26 at Wells River, to which the attention of the management was called two years ago in the report of Mr. C. F. Stowell, bridge expert of the commission, has not been rebuilt. It has been strengthened by placing a new frame bent underneath it but this bridge has nearly outlived its usefulness and ought to be rebuilt within some short time. The commission is assured by the management that it is being carefully watched, and, together with all bridges upon the Boston & Maine system, is being given careful and intelligent supervision. While the Wells River bridge may be serviceable for some time longer its appearance is rather against it and it is hoped that the management will rebuild it another season.

There are twenty-nine depots on this division in the state of Vermont and during the present season a new structure has been erected at Ely to take the place of one burned, and at Wilder modern toilet conveniences have been supplied; the depot structures almost without exception are in good condition, well cared for by the agents of the company and are generally sufficient for the needs of the public. The depot at Lyndonville, where the general offices of the management are located, is in the same condition as has been described in former reports; no particular improvement in the care of the station by the depot master is apparent. Some minor improvements have been made in several of the stations.

Crossing signs, cattle guards and tell-tale warnings are in place wherever required by law, and switches, frogs and guard rails are fairly well blocked.

The commissioners have no criticism to make respecting that part of the Fitchburg division within the state of Vermont although the two depots in the town of Pownal are small and are somewhat out of repair; they hardly seem adequate for the needs of the people.

In general terms it may be said that the lines of the Boston & Maine railroad within the state of Vermont are maintained in first class condition and the service rendered to the public is generally to be commended. As was said in the report two years ago, the skill and intelligence of the management has resulted in fewer serious accidents involving loss of life or property than have occurred upon any other railroad of equal mileage in the state.

BRISTOL RAILROAD.

This line runs from New Haven Junction, on the Rutland railroad, to the village of Bristol and is 6.59 miles in length. There has been no particular change in the physical condition of the road since the last biennial report of this commission and no additional equipment or change in depot facilities are to be noted. There has been no improvement in the surface and alignment of the track and it is somewhat rough and uneven. During the season of 1904, 800 tamarack and 1200 cedar ties were laid on this line and the same number is reported to have been laid during the season of 1905.

CANADA ATLANTIC RAILWAY.

This line is now a part of the Grand Trunk railway system. Only 3.1 miles is located within the state of Vermont. There are no bridge structures upon the line and no inspection of this road was made in 1906.

CANADIAN PACIFIC RAILWAY.

This company operates the Montreal & Atlantic railway, extending from a point near the village of Richford, to Newport, a distance of about 31 miles, 21 of which are within the state of Vermont.

The road-bed of this line has been much improved during recent years and is now in excellent condition, well ballasted and well drained. The yards at each station are protected by semaphores and modern safety devices are generally in use. The rails are for the most part of 80 pound steel and well tied. In 1904, 12300 new ties were laid; of these 350 were tamarack, 6050 cedar and 5900 hemlock; in 1905 the total tie renewals were 12,000; of which 400 were tamarack, 5850 were cedar and 5750 hemlock.

On this line the bridges are generally of short span and no criticism is to be made respecting their carrying capacity or condition. Cattle guards, tell-tale warnings and crossing signs are in place wherever required by law and switches, frogs and guard rails are satisfactorily blocked.

CENTRAL VERMONT RAILWAY.

The Central Vermont system comprises 292.31 miles of main and branch lines as follows: Windsor to Rouses Point 158.40 miles; Swanton Junction to the Canadian line 11 miles; Burlington to Cambridge Junction 34 miles; Montpelier Junction to Williamstown 11.90 miles; St. Albans to Richford 28 miles; South Vernon to South Londonderry 46 miles. The main line from Windsor to the Canadian line is in excellent condition, although some of the steel is not wearing well and the track is somewhat uneven in places. At certain points where the steel has become badly worn it is being relaid with new 80 pound rails. Curve braces are used very generously throughout the entire length of the main line and to some extent upon the branches; the road-bed of the main line is well ballasted and drained. Tie renewals during the season of 1904 have been as follows: Windsor to Canadian line, 67861, of which 18339 were chestnut, 49256 hard pine and 266 cedar; St. Albans to Richford 8588, all of chestnut; Burlington to Cambridge Junction 9184, of which 8186 were chestnut, 942 hard pine and 56 cedar; Brattleboro and Whitehall branch 8993, all of chestnut;

Swanton Junction to Rouses Point 4981, of which 4107 were chestnut, 433 hard pine and 441 cedar. In 1905 tie renewals were as follows: Windsor to Canadian line 62226, of which 1805 were chestnut, 50350 hard pine and 10071 cedar; St. Albans to Richford 4658, of which 160 were chestnut, 24 hard pine and 4474 cedar; Burlington to Cambridge Junction 7297, of which 175 were chestnut, 1724 hard pine and 5498 cedar; Brattleboro and Whitehall branch 47099, all of chestnut; Swanton Junction to Rouses Point 3983, of which 100 were chestnut, 459 hard pine and 3424 cedar.

Since the last biennial report the Brattleboro & Whitehall branch has been rebuilt to standard guage, ballasted nearly its entire length and very much improved in every way. It is now serving fairly well the needs of the people in that section of the state.

During the season of 1905 the Williamstown branch, upon the recommendation of this commission, has been ballasted; the material used was not of first class quality and in many places there is lack of sufficient shoulder to the track. All of the branch lines of the Central Vermont system are deficient in surface and alignment and are much too rough for comfort. The reason for this is lack of sufficient help on the various sections; not enough men are employed to keep the track in good condition and this is painfully apparent upon all the branch lines of the Central Vermont system. The management is earnestly urged to remedy this defect and to maintain its branch lines at a standard of excellence warranted by the amount of business which they contribute to the system. This criticism was made in the last biennial report; some improvement has been made in ballasting some of the branch lines but when this is done the management seems to reach the conclusion that no further attention need be given until conditions become intolerable again. The inevitable result is that travel over these branch lines is subject to the discomfort necessarily consequent to a rough and uneven track and in the spring months when the frost is coming out of the ground the operation of trains is attended with some danger. Three men assigned to a section of track six or seven miles in length are manifestly unable to keep that track in serviceable condition.

The depot structures along the line serve fairly well the needs of the patrons of the road. At some of the important stations there is lack of sufficient help to take care of the business promptly and this is particularly true at Burlington and at Essex

Junction. There should be a station master at Burlington and at Essex Junction more or less delays of trains might be avoided if more help was employed to handle baggage and express business at this point. The depot at St. Albans and those at Essex Junction and Burlington are insufficiently lighted; an improvement at St. Albans is the removal of the Western Union telegraph office from the gentlemen's waiting room to another room in the depot building. No substantial improvements have been made in any of the depot structures on the line of the Burlington & Lamoille branch. A new steel bridge has been erected during the past season at Montpelier to replace an old wooden bridge which had outlived its usefulness; this was the bridge criticised by Mr. Charles F. Stowell, bridge engineer of the commission, in the last biennial report. During the last two years additions to the equipment of the Central Vermont road have included 23 engines, 8 passenger and baggage cars, 1000 freight cars and 11 refrigerator cars.

Crossing signs, cattle guards and tell-tale warnings are in place wherever required by law and switches, frogs and guard rails were in most instances found to be properly blocked, although in some of the larger yards some failures were noted, the blocking having become worn out; in such instances new blocking should be provided in compliance with the law.

CLARENDON & PITTSFORD RAILROAD.

No inspection of this line, comprising 16.28 miles of track, was made during the season of 1906. This road is used exclusively for the transportation of marble for the Vermont Marble company and no passenger trains are operated over the road. Its bridge structures are sufficient for the service required of them and the road is generally in good condition. In 1904, 4918 new ties were laid, including 3713 tamarack, 1005 hard pine and 200 cypress; in 1905, 9127 new ties were laid, 8847 being of hard pine and 280 of oak.

DELAWARE & HUDSON COMPANY.

That part of this system within the state of Vermont comprises 36.65 miles of main line and 14.82 miles of yard tracks and

sidings. The road-bed is well ballasted and tied about 2850 to the mile. To put the road in first class condition it should have new steel rails. The bridges are nearly all of steel, and are in first class condition. In 1904, 2969 chestnut ties, 8946 hard pine and 1491 oak were laid, making a total of 13406; the management reports the same number for 1905.

Early in 1906 this commission ordered important repairs in the station facilities at Fair Haven, including the building of a new freight station and important repairs upon the passenger depot. A portion of this order has been complied with but the new freight station has not yet been built although it is understood that the company is attempting to acquire title to land for that purpose. The depot at Castleton is a disgrace to any railroad company, but the people of that section who are patrons of the Delaware and Hudson road seem to be satisfied with it, as no petition for relief has been received by this commission.

A station at West Pawlet is much needed to replace the one destroyed by fire. A petition is now pending from citizens of West Rutland asking for the erection of a passenger depot at that point. Upon the order of this commission the Delaware & Hudson company have provided train order signals at all of their stations in Vermont, an improvement badly needed. The special statutory requirements are well complied with and highway grade crossings are fully protected with crossing signs and cattle guards. The electric bell signals at dangerous highway grade crossings are kept in good repair and are doing good service.

GRAND TRUNK RAILWAY.

The Grand Trunk company operates the Atlantic & St. Lawrence railroad and also the Canada Atlantic railway, only three miles of which are within the limits of Vermont. That part of the Atlantic & St. Lawrence railroad within the state of Vermont extends from the Canadian line at Norton's Mills in the town of Norton to the Connecticut river at North Stratford, N. H., a distance of 30.56 miles. There are also about 10 miles of yard tracks and sidings.

The road-bed is substantial and maintained in excellent condition. In 1904 a total of 14536 new ties were laid, 7964 being

of cedar and 6572 of oak; in 1905 the tie renewals were 11472, of which 7676 were of cedar and 3796 of oak.

In all important respects this road is maintained in an excellent manner and fairly well up to the Grand Trunk standard. No criticism can be passed upon its bridge structures; its depot facilities are in every way sufficient and all special statutory requirements are complied with.

HARDWICK & WOODBURY RAILROAD.

This road extends from Granite Junction on the St. Johnsbury & Lake Champlain railroad to the granite quarries in the town of Woodbury. It has about 13 miles of main line and spurs. It is used almost entirely for the transportation of granite from the quarries to Granite Junction and the line is maintained in fairly good condition for this service and has been much improved the past two years; in 1904 the management reports 5200 tie renewals, nearly all of which were of hemlock; and in 1905 the tie renewals were 5400, of which 4700 were hemlock, 600 cedar and 100 brown ash.

HOOSAC TUNNEL & WILMINGTON RAILROAD.

This is a narrow gauge road extending from Hoosac Tunnel, Mass., to Wilmington, Vt., a distance of 25 miles, of which 16.78 miles are in Vermont; the gauge is 3 feet. Most of the steel is 60 pounds weight to the yard, with the exception of a few miles near Wilmington which is old 30 pound steel. The road-bed of this line is in substantially the same condition as it has been for several years past. After repeated requests the management fails to report the renewals of ties during the past two years.

An extension of this line is being constructed from Mountain Mills across the Deerfield river and into a timber country; this extension is to be about 18 miles in length and is to be used almost wholly for logging purposes.

The bridges on the line are in fairly good condition and are apparently of sufficient strength to safely carry the traffic.

The road is built along the left bank of the Deerfield river for almost the entire distance between Wilmington and Hoosac

Tunnel and in some places is subject to slides from the adjacent mountains, but no serious difficulty has yet been experienced.

MAINE CENTRAL RAILROAD.

Only 13.85 miles of this system is located within the state of Vermont, in the towns of Guildhall, Maidstone, Brunswick and Canaan. This road was examined by the board in 1905 but no inspection was made in 1906; the bridges are all of sufficient carrying capacity and no criticism can be made of them. The road-bed is generally kept in good condition and is amply sufficient for the service over it. In 1904, 2097 new ties were laid, 97 of hard pine, 1180 of cedar and 820 of hemlock; in 1905 the tie renewals were 1873, about one-half of which were of cedar and the balance of hemlock.

MANCHESTER, DORSET & GRANVILLE RAILROAD.

This is a new line completed in 1903 and extending from Manchester to West Dorset, a distance of 5.09 miles. The larger part of the business of the road is the transportation of marble from the Dorset quarries to the finishing mills in Manchester, although a passenger service is operated over the line. For the service performed, this road is in fairly good condition and is being somewhat improved each year. Tie renewals have thus far been very small in number as the ties originally laid in the road-bed are still serviceable.

MONTPELIER & WELLS RIVER RAILROAD.

The Montpelier & Wells River railroad extends from Montpelier to Wells River, a distance of 43.62 miles, with upwards of 8 miles of yard tracks and sidings.

The physical condition of this railroad continues to be excellent and from year to year is being kept up to a reasonably high standard.

In 1904, 12082 new ties were laid, 4350 being of cedar and 7732 of hemlock; in 1905 the total tie renewals was 29296, of which 12851 were of cedar and 16445 were of hemlock.

Most of the bridge structures are old and have seen service since the road was built in 1873; but they have been strengthened from year to year and are continually subject to careful and intelligent supervision; it is believed that they are entirely safe for the traffic passing over them.

The depot structures on this line have always received the commendation of the commission, with the exception of the structure at Barre, where a union station should be built giving facilities to the trains of the Montpelier & Wells River railroad and those of the Central Vermont system. Crossing signs at highway grade crossings, cattle guards and tell-tale warnings are in place wherever required by law and the switches, frogs and guard rails are well blocked.

RUTLAND RAILROAD.

This system operates 240.78 miles of main line within the state and has about 50 miles of yard tracks and sidings; the line is from White Creek on the line between New York state and Vermont to the Canadian boundary, a distance of 161.42 miles; from the New York state line on the Chatham division to North Bennington, a distance of 9.71 miles; from Bellows Falls to Rutland 52.21 miles; from Alburgh to Rouses Point, 3.60 miles; and from Leicester Junction to the New York state line, 13.76 miles. The line from North Bennington to Alburgh and from Bellows Falls to Rutland is in first class condition throughout its entire length. A large amount of work has been done on this line during the past two years and the road-bed is not excelled in the state of Vermont. It is laid with steel weighing 80 pounds to the yard, is well ballasted and well drained. In many of the cuts tiling has been laid with a view of eliminating the wet and soft places and the experiment has proved very successful; curves have been provided with tie plates and during the calendar year 1904 the tie renewals upon this system were as follows: Bennington & Rutland division, 59 miles, 3000 tamarack and 20,000 cedar; Rutland to Bellows Falls, 52.2 miles, 12900, nearly all of cedar; Rutland to Burlington, 67 miles, 16600, nearly all of cedar; Burlington to Alburgh, Rutland-Canadian division, 38 miles, 1450, all of cedar; Addison branch, 15 miles, 150 tamarack and 1000 cedar. During the calendar year of 1905 the tie renewals were as follows: Benning-

ton & Rutland division, 59 miles, 15,000 chestnut, 1400 hard pine, 7600 cedar; Rutland to Bellows Falls, 52.2 miles, 2,000 hard pine, 5750 cedar and 1000 oak; Rutland to Burlington, 67 miles, 200 chestnut, 2200 hard pine and 11,000 cedar; Rutland-Canadian division, Burlington to Alburgh, 38 miles, 350 hard pine and 4,200 cedar; Addison branch, 15 miles, 1300 cedar.

The Addison branch, over which traffic is very light, is not in very good condition. The company does not employ sufficient help to keep this line properly surfaced; it is doubtless safe for the operation of trains, as they are not run at a high rate of speed. It is like many other branch lines in the state, receiving but little attention from the management; portions of it have been ballasted within the past two years but the track is still rough and uneven. The tie renewals upon the Addison branch, 15 miles in length, in 1904 were 1150 and in 1905, 1300. This is not sufficient for the needs of the road, being an average of less than 100 ties to the mile. The small bridge structures on this branch are all being rebuilt.

No criticism can be offered concerning the bridge structures upon the Rutland railroad, most of them being of comparatively recent date and modern steel structures.

The new depot structure at Rutland is a credit to the road and amply serves the public at that important point; a cut of this depot appears elsewhere in this report. New stations have been erected at East Wallingford and Sunderland to replace the ones destroyed by fire and important improvements have been made in the depot at Danby.

Crossing signs, cattle guards and tell-tale warnings, were in place wherever required by law and the frogs, switches and guard rails are satisfactorily blocked.

ST. JOHNSBURY & LAKE CHAMPLAIN RAILROAD.

This line extends across the northern portion of the state from Maquam Bay on Lake Champlain to Lunenburg on the Connecticut river, a distance of 120 miles, with a branch line from North Concord to East Haven, 11.50 miles in length, making a total of 131.50. There are about 22 miles of yard tracks and sidings.

There has been comparatively little change in the condition of this line during the past biennial term. Several miles of heavier steel, procured from other roads, has been laid and some sections of the line have been newly ballasted. On the whole the road is gradually getting into better condition. In 1904 there were laid on the main line 40636 new ties of which 465 were tamarack, 1664 chestnut, 15649 cedar, 160 oak and 22698 hemlock. On the Victory branch 3038 new ties were laid, of which 1842 were of cedar and 1196 of oak. In 1905 the tie renewals were as follows: Tamarack, 607; chestnut, 29; cedar, 4983; oak 50; hemlock, 21740, a total of 27,409; on the Victory branch 1863 cedar ties were laid.

Very many of the bridges on this line are of wood and for the most part are in excellent condition. At St. Johnsbury bridge No. 10, which was criticised by Mr. Stowell, engineer for the commission, in the last biennial report, has been replaced by a substantial wooden lattice structure. Some pile trestles have been rebuilt during the year as recommended by Mr. Stowell.

The depots on this line are in first class condition, well kept and adequately serve the patrons of the road at all points. In all other respects the conditions on this line are substantially the same as reported two years ago.

WHITE RIVER RAILROAD.

For the physical condition of this road refer to pages 183 to 193 of this volume.

WOODSTOCK RAILWAY.

This road is 13.88 miles in length and extends from White River Junction to Woodstock; it has about 1 1-4 miles of sidings.

The road-bed is generally in the same condition as reported two years ago, sufficient in all respects for the traffic passing over it. In 1904, 2667 cypress ties were laid on this line and 1700 cedar; in 1905, 4228 new ties were laid, all of cypress.

Some improvements have been made on the bridges during the biennial term, especially the "gulf" bridge, so called, and they all seem to be in first class condition.

The stations on this road are in good condition and meet the requirements of its patrons.

Physical Condition of Electric Railways.

Little criticism can be made respecting the physical condition of the lines of the Burlington Traction company, Military Post street railway company, Rutland street railway company and Springfield electric railway company. All of these lines are in good condition and are giving satisfactory service to all patrons. The road-bed, track, over-head work and equipment is being maintained from year to year in a satisfactory manner.

The Barre and Montpelier line has been somewhat improved since our last report, some of the bridge structures have been rebuilt and the line has received considerable ballast. The location of the track has also been changed in places. It would seem that an out-lay of a very reasonable sum of money, considering the length and importance of the road, would place this line in first class condition and give it an equipment worthy of its traffic.

The Mt. Mansfield electric railway has been considerably improved during the last two years. In 1905 this commission made certain demands upon the company, requiring the management to lay 8,000 new ties during that year and to ballast portions of the track, bring the same to proper surface and repair the trestle at Waterbury Center. This action was taken by the commissioners upon their own motion and because an examination disclosed the fact that there was danger in operating the road in its then condition. The management cheerfully complied with the larger portion of the requirements and actually laid nearly 8,000 new ties during the season of 1905 and placed in the high trestle nearly 40,000 feet of new timber. Not so much was accomplished in the way of ballasting and surfacing of the track as was desirable but the commissioners concluded that the tie renewals, with such other improvements as were made, placed the road in a physical condition which made it safe for operation.

The Bennington & Hoosick Valley road has not materially improved during the biennial term. Some improvements have

been made at various points along the line but in a general way it may be said that this road is rough and uneven and not enough men are employed upon it to keep it in good repair; its bridge floor systems are poor. The business of the road hardly permits of extensive repairs.

The St. Albans street railway is now in the hands of receivers, they having been appointed in September 1905 upon petition of bond holders upon default of the payment of the interest upon the bonds. This line is now taking its power from falls located in the town of Fairfax, 13 miles distant. Small repairs have been made upon the road during the past two years and it is gradually depreciating in condition and its equipment is being worn out. This road has never received the benefit of operation by a practical street railway man who could give intelligent supervision to all the details of operation. Within a very short time extensive and expensive repairs will be necessary upon this line, tie renewals in considerable numbers will be necessary within a year or two and its bridge structures will also need rebuilding or strengthening within a short time.

The Brattleboro street railway has changed hands, a new company having bought out the entire plant. It is in fair physical condition and gives reasonably satisfactory service to its patrons.

The Bellows Falls & Saxtons River railway is in substantially the same condition as noted in former reports; no special criticism of it is necessary, although its road-bed and equipment will stand improvement.



NEW PASSENGER STATION AT RUTLAND—RUTLAND RAILROAD.

Steam and Electric Railroads

HISTORY, OFFICERS AND DIRECTORS.

June 30, 1906.

Steam Railroads.

ATLANTIC & ST. LAWRENCE RAILROAD COMPANY.

OFFICERS.

Title.*	Name.	Location of Office.
President,	Chas. M. Hays,	Montreal, P. Q.
Vice President,	Frank W. Morse,	Montreal, P. Q.
Manager,	Chas. M. Hays,	Montreal, P. Q.
General Freight Manager,	J. W. Loud,	Montreal, P. Q.
Solicitor,	C. A. H'ght,	Portland, Me.
Clerk and Treasurer,	W. W. Duffett,	Portland, Me.

DIRECTORS.

Name.	Post Office Address.	Date of Expiration of term.
Chas. M. Hays,	Montreal, P. Q.	Until successors
Frank W. Morse,	Montreal, P. Q.	are elected,
F. R. Barrett,	Portland, Me.	Aug. 1, 1905.
W. W. Duffett,	Portland, Me.	
W. W. Brown,	Portland, Me.	
E. A. Noyes,	Portland, Me.	
P. G. Brown,	Portland, Me.	
J. W. Loud,	Montreal, P. Q.	

Date of last meeting for election of directors: August 2, 1904. (No quorum.)

Post office address of general office; Portland, Me.

HISTORY.

Chartered as the Atlantic and St. Lawrence railroad in Maine, February 10, 1845, in New Hampshire, June 30, 1847, in Vermont, October 27, 1848. Road opened from Portland, Me., to Island Pond, Vt., January 29, 1853. On August 5, 1853, road was leased to the Grand Trunk railway company of Canada for 999 years. Interest and dividends are guaranteed by the latter company at the rate of 6% per annum.

BARRE RAILROAD COMPANY.

OFFICERS.

Title.	Name.	Location of Office.
President,	A. D. Morse,	Barre, Vt.
Vice-President and Managing Director,	W. A. Stowell,	Montpelier, Vt.
Clerk and Treasurer,	F. W. Stanyan,	Barre, Vt.
General Superintendent,	F. W. Stanyan,	Barre, Vt.

DIRECTORS.

Name.	Post Office Address.	Date of Expiration of Term.
A. D. Morse,	Barre, Vt.	May 31, 1906.
W. A. Stowell,	Montpelier, Vt.	" "
E. L. Smith,	Barre, Vt.	" "
John Trow,	Barre, Vt.	" "
F. W. Stanyan,	Barre, Vt.	" "

Date of last meeting of stockholders for election of directors: May 25, 1905.

Post office address of general office: Barre, Vt.

HISTORY.

This road was organized under the general laws of the state, its articles of association being filed with the secretary of state April 9, 1888. Construction of the main line was completed so that the road was opened for business in 1889.

BRISTOL RAILROAD.

OFFICERS.

Title.	Name.	Location of Office.
President,	P. W. Clement,	Rutland, Vt.
Superintendent, } Treasurer,	Ralph Denio,	Bristol, Vt.

DIRECTORS.

Name.	Post Office Address.	Date of Expiration of Term.
P. W. Clement,	Rutland, Vt.	When successor is elected.
H. G. Smith,	Rutland, Vt.	" "
C. P. Bush,	Bristol, Vt.	" "
W. P. Clement,	New York City.	" "
W. N. Gove,	Lincoln, Vt.	" "
E. B. Patterson,	Bristol, Vt.	" "
Ralph Denio,	Bristol, Vt.	" "

Date of last meeting for election of directors: July 28, 1905.

Post office address of general office: Bristol, Vt.

HISTORY.

This company was chartered by the general assembly of the state of Vermont in 1882. It was organized in 1890, and the road was opened to the public, January 5, 1892.

BOSTON & MAINE RAILROAD.

OFFICERS.

Title.	Name.	Location of Office.
President,	Lucius Tuttle,	Boston, Mass.
Second Vice-President,	Wm. F. Berry,	Boston, Mass.
Third Vice-President,	Frank Barr,	Boston, Mass.
Fourth Vice-President and Gen. Auditor,	Wm. J. Hobbs,	Boston, Mass.
Corporation Clerk,	Wm. B. Lawrence,	Boston, Mass.
Treasurer,	Herbert E. Fisher,	Boston, Mass.
Assistant Treasurer,	John F. Webster,	Concord, N. H.
Attorney or General Counsel	Richard Olney,	Boston, Mass.
Asst. General Auditor,	S. H. McIntosh,	Boston, Mass.
Asst. General Manager,	C. E. Lee,	Boston, Mass.
Chief Engineer,	H. Bassell,	Boston, Mass.
Asst. Chief Engineer,	F. A. Merrill,	Concord, N. H.
General Supt.,	D. W. Sanborn,	Boston, Mass.
Division Supt.,	Geo. H. Folger,	Boston, Mass.
Asst. Division Supt.,	J. D. Tyter,	Boston, Mass.
Asst. Division Supt.,	C. L. Gilpatrick,	Boston, Mass.
Division Supt.,	Wm. Merritt, West Div.,	Boston, Mass.
Assistant Supt.,	Chas. A. Messer, West Div.,	Boston, Mass.
Division Supt.,	W. T. Perkins, East Div.,	Boston, Mass.
Assistant Supt.,	Henry Scannell, "	Boston, Mass.
Assistant Supt.,	W. M. Sanborn, "	Sanbornville, N. H.
Division Supt.,	W. R. Mooney,	
	W. N. & P. Div.,	Nashua, N. H.
Asst. Division Supt.,	H. W. Davis, "	Nashua, N. H.
Division Supt.,	Henry C. Robinson,	
	South. Div.,	Boston, Mass.
Asst. Division Supt.,	John Rourke, "	Boston, Mass.
Division Supt.,	W. F. Ray, Conc. Div.,	Concord, N. H.
Division Supt.,	H. E. Folsom,	
	Con. & P. Div.	Lyndonville, Vt.
Asst. Division Supt.,	W. H. Ford, "	Lyndonville, Vt.
Asst. Division Supt.,	G. L. R. French, "	Springfield, Mass.
Division Supt.,	Geo. E. Cummings,	
	W. M. Div.,	Woodsville, N. H.
Asst. Division Supt.,	C. C. Rinehart, "	Woodsville, N. H.
Division Supt.,	A. S. Cheever, Fitch Div.,	Boston, Mass.
Asst. Division Supt.,	E. A. Smith, "	Boston, Mass.
Asst. Division Supt.,	M. P. Snyder, "	Mechanicville, N. Y.
Supt. Telegraph,	S. A. D. Forr, stall,	Boston, Mass.
Freight Traffic Mgr.,	M. T. Donovan,	Boston, Mass.
Exp. Frt. Traffic Mgr.,	A. S. Crane,	Boston, Mass.
Gen. P. & T. Agent,	D. J. Flanders,	Boston, Mass.
Asst. G. P. & T. Agt.,	Geo. E. Sturtevant,	Boston, Mass.
Asst. G. P. & T. Agt.,	F. E. Brown,	Concord, N. H.
Asst. G. P. & T. Agt.,	Geo. W. Storer,	Boston, Mass.
Gen Baggage Agent,	C. J. Wiggin,	Boston, Mass.

DIRECTORS.

Name.	Post Office Address.	Date of Expiration of Term.
Lucius Tuttle,	Boston, Mass.,	October 12, 1905.
Samuel C. Lawrence,	Medford, Mass.	" "
Richard Olney,	Boston, Mass.	" "
A. W. Sulloway,	Franklin, N. H.	" "
Joseph H. White,	Brookline, Mass.	" "
Walter Hunnewell,	Wellesley, Mass.	" "
Lew's Cass Ledyard,	New York, N. Y.	" "
Henry M. Whitney,	Brookline, Mass.	" "
Henry F. Dimock,	New York, N. Y.	" "
William Whiting,	Holyoke, Mass.	" "
Chas. M. Pratt,	New York, N. Y.	" "
Alexander Cochrane,	Boston, Mass.	" "

Date of last meeting for election of directors: October 12, 1905.

Post office address of general office: Boston, Mass.

HISTORY.

The Boston & Maine railroad was organized June, 1835, under the laws of the commonwealth of Massachusetts, state of New Hampshire and state of Maine.

The Boston & Maine railroad system in formed by consolidation of several railroad corporations, organized under the laws of Massachusetts, Maine and New Hampshire, and reference may be had to the statutes of these states for particulars as to the laws authorizing such consolidation.

This system in Vermont includes the Ashuelot branch of the Connecticut river railroad from South Vernon to Keene, N. H., less than one mile of which is in Vermont, and the Connecticut and Passumpsic Rivers railroad from White River Junction to the Canadian line in the town of Derby.

The Connecticut & Passumpsic Rivers railroad company was chartered October 27th, 1843, and organized January 15th, 1846, under the laws of Vermont. On June 1st, 1887, it was leased for ninety-nine years from January 1st, 1887, to the Boston & Lowell railroad and passed with the lease of that road to the Boston & Maine. The agreed rental is all operating expenses and liabilities, \$3,000 per annum for corporation expenses, interest on funded debt and a dividend on preferred capital stock of 5% per annum for first ten years and 6% thereafter.

The Boston & Maine railroad also operates the Vermont Valley railroad under a contract. (See Vt. V. R. R.)

CANADIAN PACIFIC RAILWAY.

OFFICERS.

Title.	Name.	Location of office.
President,	Thos. G. Shaughnessy,	Montreal.
Vice-President,	D. McNicoll,	Montreal.
Second Vice-President,	W. Whyte,	Winnipeg.
Third Vice-President,	I. G. Ogden,	Montreal.
Fourth Vice-President,	Geo. M. Bosworth,	Montreal.
Secretary,	Chas. Drinkwater,	Montreal.
Chief Solicitor,	A. R. Creelman, K. C.	Montreal.
Treasurer,	W. Sutherland Taylor,	Montreal.
Gen. Supt. of Trans.		
Eastern Lines,	C. W. Spencer,	Montreal.
Pass. Traffic Manager,	Robt. Kerr,	Montreal.
Frt. Traffic Manager,	W. R. McInnes,	Montreal.
Chief Engineer,	W. F. Tye,	Montreal.
Asst. to the Pres.	W. R. Baker,	Montreal.
Mang. Steamship Lines,	Arthur Piers,	Montreal.
Gen. Supt. Pacific Div.,	R. Marpole,	Vancouver.
Gen. Supt. Ont. Div.,	H. P. Timmerman,	Toronto.
Gen. Supt. East. Div.,	James Osborne,	Montreal.
Gen. Supt. Cent. Div.,	G. J. Bury,	Winnipeg.
Gen. Supt. West. Div.,	R. R. Jamieson,	Calgary.
Gen. Supt. Atlan. Div.,	William Downie,	St. Johns, N. B.
Gen. Supt. Lk. Sup. Div.,	F. P. Brady,	North Bay.
Mang. of Telegraphs,	Jas. Kent,	Montreal.
Land Commissioner,	F. T. Griffin,	Winnipeg.
Supt. of Irrigation and B. C.		
Ld. Co.,	J. S. Dennis,	Calgary.
Dep. Sec'y and Regs. of Trans-		
fers,	Harry Moody,	London, S. W.
Europ'n Traffic Mang.,	Archer Baker,	London, S. W.
Trans. Agts., Agents of the Bank of Montreal, 59 Wall St., New York.		
Montreal Transfer Office, Office of the Secretary, Montreal.		

DIRECTORS.

Name.	Post Office Address.	Date of Expiration of Term.
Sir William C. Van Horne,		
K. C. M. G.,	Montreal,	Until Relieved.
Rt. Hon. Lord Strathcona		
and Mount Royal,	Montreal.	"
R. B. Angus,	Montreal.	"
E. B. Osler,	Toronto.	"
Sir Sandford Fleming,		
K. C. M. G.	Ottawa.	
G. R. Harris,	Boston.	
W. D. Matthews,	Toronto.	"
Thos. Skinner,	London, Eng.	
C. R. Hosmer,	Montreal.	"
Hon. Sir Geo. A. Drummond,		
K. C. M. G., Senator,	Montreal.	"
Hon. R. MacKay, Senator,	Montreal.	"
R. G. Reid,	Montreal.	"
C. H. MacKay,	New York.	"
D. McNicoll,	Montreal.	"
Sir Thos. G. Shaughnessy,	Montreal.	"

Post office address of general office: Montreal, P. Q.

Post office address of operating office: Farnham, P. Q.

HISTORY.

The Canadian Pacific railway company operates the line of the Montreal & Atlantic railway for and on account of the proprietors. The latter company succeeded to the rights of the Southeastern railway company, October 1st, 1894, and operates that part of its line which is in Vermont and which was chartered and constructed as the Massihippi & Clyde Rivers railroad. The latter road was sold to the Newport & Richford railroad company in 1880. June 19th, 1881, the Canadian Pacific railway company leased this line for a period of 99 years.

CENTRAL VERMONT RAILWAY COMPANY.

OFFICERS.

Title.	Name.	Location of Office.
President and Chairman Executive Committee,	Chas. M. Hays,	Montreal, P. Q.
Vice-President,	E. H. Fitzhugh,	Montreal, P. Q.
General Manager,	G. C. Jones,	St. Albans, Vt.
Freight Traffic Manager,	John W. Loud,	Montreal, P. Q.
Attorney,	C. W. Witters,	St. Albans, Vt.
Chief Surgeon,	J. Alex Hutchinson,	Montreal, P. Q.
Treasurer and Clerk,	W. H. Chaffee,	St. Albans, Vt.
Auditor,	W. G. Crabbe,	St. Albans, Vt.
General Passenger Agent,	J. E. Bentley,	St. Albans, Vt.
General Freight Agent,	Robert Burnap,	St. Albans, Vt.
Supt. Northern Division,	C. E. Soule,	St. Albans, Vt.
Asst. Supt. South'n Division,	E. D. Nash,	New London, Conn.
Purchasing Agent,	J. B. Laurie,	St. Albans, Vt.
Supt. Tel. and Car Acct.,	M. Magiff,	St. Albans, Vt.
Supt. Motive Power,	A. Buchanan, Jr.,	St. Albans, Vt.
Master Car Builder,	James Coleman,	St. Albans, Vt.
General Roadmaster,	W. P. Elrod,	St. Albans, Vt.
Engr. and Supt. Structures,	J. M. Morrison,	St. Albans, Vt.

DIRECTORS.

Name.	Post Office Address.	Date of Expiration of Term.
Chas. M. Hays.	Montreal, P. Q.	Term expires June 30, but hold office until annual meeting in October, 1905.
E. C. Smith,	St. Albans, Vt.	
E. H. Fitzhugh,	Montreal, P. Q.	
E. H. Baker,	Boston, Mass.	
J. G. McCullough,	North Bennington, Vt.	
Jno. Bell,	Belleville, Ont.	
J. W. Stewart,	Middlebury, Vt.	
S. E. Kilner,	130 Broadway, New York	
A. Tuttle,	Fairhaven, Vt.	
Dr. W. S. Webb,	Shelburne, Vt.	
Chas. P. Smith,	Burlington, Vt.	
H. B. Day,	Boston, Mass.	
C. W. Witters,	St. Albans, Vt.	

Date of last meeting for election of directors: October 11, 1904.

Post office address of general office: St. Albans, Vt.

HISTORY.

The Central Vermont railway company was chartered November 16, 1898, "for the purpose of acquiring the title to and operating the lines of the Central Vermont railroad company, the Missisquoi Valley railroad, the Burlington & Lamoille Valley railroad company, and also the lease of the New London Northern railroad." It was organized and commenced operating May 1, 1899.

CLARENDON & PITTSFORD RAILROAD.

OFFICERS.

Title.	Name.	Location of Office.
President,	F. D. Proctor,	Proctor, Vt.
Vice-President,	Redfield Proctor,	Proctor, Vt.
Secretary and Gen. Counsel,	F. C. Partridge,	Proctor, Vt.
Treasurer and Clerk,	E. R. Morse,	Proctor, Vt.

DIRECTORS.

Name.	Post Office Address.	Date of Expiration of Term.
Redfield Proctor,	Proctor, Vt.	September, 1905.
F. D. Proctor,	Proctor, Vt.	" "
F. C. Partridge,	Proctor, Vt.	" "
E. R. Morse,	Rutland, Vt.	" "
S. A. Howard,	Rutland, Vt.	" "
C. J. Smith,	Boston, Mass.	" "
Redfield Proctor, Jr.,	Proctor, Vt.	" "

Date of last meeting for election of directors: September 12, 1904.

Post office address of general office: Proctor, Vt.

HISTORY.

Organized under the general laws of the state, September 10, 1885. The road commenced operation in July, 1886. It was constructed to handle the product of the Vermont Marble company.

DELAWARE & HUDSON COMPANY.

OFFICERS.

Title.	Name.	Location of Office.
President,	David Wilcox,	New York City.
Vice-President,	Alexander E. Orr,	New York City.
Chairman of Executive Com.	Robert M. Olyphant,	New York City.
Second Vice-President,	Abel I. Culver,	Albany, N. Y.
Ass't to Sec. Vice-President,	T. B. Dixey,	Albany, N. Y.
Ass't to Sec. Vice-President,	W. J. Mullin,	Albany, N. Y.
Treasurer,	Charles A. Walker,	New York City.
Secretary,	F. Murray Olyphant,	New York City.
General Counsel,	William S. Opdyke,	New York City.
Resident Counsel,	Lewis E. Carr,	Albany, N. Y.
Comptroller,	Luman H. Stewart,	Albany, N. Y.
Assistant Comptroller,	William H. Davies,	New York City.
General Supt. of R. R. Dept.	A. J. Stone,	Albany, N. Y.
Freight Traffic Manager,	Paul Wadsworth,	Albany, N. Y.
Gen. Freight Agent,	C. E. Rolfe,	Albany, N. Y.
Passenger Traffic Manager,	J. W. Burdick,	Albany, N. Y.
Gen. Passenger Agent,	A. A. Heard,	Albany, N. Y.
Chief Engineer,	James MacMartin,	Albany, N. Y.
Real Estate Agent,	W. L. Lawrence,	Scranton, Pa.

BOARD OF MANAGERS.

Name.	Post Office Address.	Date of Expiration of Term.
Robert M. Olyphant,	New York City.	May, 1906.
Alexander E. Orr,	New York City.	" "
Chauncey M. Depew,	New York City.	" "
James W. Alexander,	New York City.	" "
John Jacob Astor,	New York City.	" "
Frederick Cromwell,	New York City.	" "
David Wilcox,	New York City.	" "
R. Suydam Grant,	New York City.	" "
George I. Wilber,	Oneonta, N. Y.	" "
Charles A. Peabody,	New York City.	" "
Edward H. Harriman,	Arden, N. Y.	" "
James H. Hyde,	New York City.	" "
Wm. S. Opdyke,	New York City.	" "

Date of last meeting for election of directors, May 9th, 1905.

Post office address of general offices: 21 Cortlandt Street, New York City.

Post office address of operating office: Albany, N. Y.

HISTORY.

The Delaware & Hudson company is engaged in the mining, selling, and transporting to market its own coal. The railroad lines operated by it in Vermont were originally chartered as the Rutland & Washington, and the Rutland & Whitehall railroads and were leased to the Rensselaer & Saratoga railroad company. After being operated by the latter company for several years

they were, on March 1, 1871, leased to the Delaware & Hudson company with other roads, by which they have since been operated.

HARDWICK & WOODBURY RAILROAD.

OFFICERS.

Title.	Name.	Location of Office.
President,	John S. Holden,	Bennington, Vt.
Vice-President,	Chas. W. Leonard,	Boston, Mass.
Managing Director } and Treasurer, }	Geo. H. Bickford,	Hardwick, Vt.
General Manager,	J. V. Dutton,	Hardwick, Vt.
Auditor,	G. W. Cree,	St. Johnsbury, Vt.

DIRECTORS.

Name.	Post Office Address.	Date of Expiration of term.
John S. Holden,	Bennington, Vt.	One year, or until successor is elected.
Chas. W. Leonard,	Boston, Mass.	"
Geo. H. Bickford,	Hardwick, Vt.	"
W. H. Fullerton,	Manchester Depot, Vt.	"
J. V. Dutton,	Hardwick, Vt.	"
Arthur J. Holden,	Bennington, Vt.	"
Geo. W. Cree,	St. Johnsbury, Vt.	"

Date of last meeting of stockholders for election of directors, August 9th, 1904.

Post office address of general office, Hardwick, Vt.

Post office address of operating office, Hardwick, Vt.

HISTORY.

The Hardwick & Woodbury railroad company was chartered in 1894, and was organized March 16, 1895. The road was constructed and commenced operation in 1896.

HOOSAC TUNNEL & WILMINGTON RAILROAD.

OFFICERS.

Title.	Name.	Location of Office.
President,	J. P. Kellas,	Wilmington, Vt.
Treasurer,	John W. Genaway,	Wilmington, Vt.
General Manager,	John P. Kellas,	Wilmington, Vt.
Superintendent,	G. F. Roberts,	Wilmington, Vt.

DIRECTORS.

Name.	Post Office Address.	Date of Expiration of Term.
J. P. Kellas,	Malone, N. Y.	October, 1905.
Moses Newton,	Holyoke, Mass.	" "
Geo. Roberts,	Wilmington, Vt.	" "
John W. Genaway,	Malone, N. Y.	" "
J. S. Pishon,	Boston, Mass.	" "

Post office address of operating office, Wilmington, Vt.

HISTORY.

The Hoosac Tunnel & Wilmington railroad was chartered December 28th, 1886. The road was constructed from Hoosac Tunnel, Mass., to Readsboro, Vt., by the Deerfield Valley company for the convenience and purpose of transportation of freight from its wood pulp, paper and lumber mills at Readsboro.

The extension from Readsboro to Wilmington was built by the Deerfield Valley railroad company, and opened November 4th, 1892, under the name of the Hoosac Tunnel & Wilmington railroad company. It is a narrow gauge road.

MAINE CENTRAL RAILROAD COMPANY.

OFFICERS.

Title.	Name.	Location of Office.
President,	Lucius Tuttle,	Portland, Me.
Vice-Pres. and Gen. Mgr.,	George F. Evans,	Portland, Me.
Treasurer,	George W. York,	Portland, Me.
Paymaster,	Thomas P. Shaw,	Portland, Me.
Comptroller and Gen. Auditor,	George S. Hobbs,	Portland, Me.
Gen. Pass. and Tkt. Agt.,	Frederick E. Boothby,	Portland, Me.
Gen. Baggage Agent,	H. H. Towle,	Portland, Me.
Gen. Superintendent,	Morris McDonald,	Portland, Me.
Supt. (Portland Div.),	Elton A. Hall,	Portland, Me.
Asst. Supt. " "	F. E. Sanborn,	Portland, Me.
Supt. (East Div.),	M. F. Dunn,	Bangor, Me.
Supt. (Mountain Div.),	George F. Black,	Portland, Me.
Car Accountant,	Watson B. Drew,	Portland, Me.
Chief Engineer,	Theo. L. Dunn,	Portland, Me.
Supt. Motive Power,	P. M. Hammett,	Portland, Me.
Purchasing Agent,	Chas. D. Barrows,	Portland, Me.
Claim Agent,	John S. Heald,	Portland, Me.

DIRECTORS.

Name.	Post Office Address.	Date of Expiration of Term.
George F. Evans,	Portland, Me.	Upon election of successor.
William P. Frye,	Lewiston, Me.	" "
Samuel C. Lawrence,	Medford, Mass.	" "
Lew's Cass Ledyard,	New York, N. Y.	" "
Joseph W. Symonds,	Portland, Me.	" "
Lucius Tuttle,	Boston, Mass.	" "
Franklin A. Wilson,	Bangor, Me.	" "
Henry M. Whitney,	Boston, Mass.	" "
Edward P. Ricker,	South Poland, Me.	" "
Alvah W. Sulloway,	Franklin, N. H.	" "
George Varney,	Bangor, Me.	" "

Clerk, Henry B. Cleaves, Portland, Me.

Date of last meeting for election of directors: October 19, 1904.

Post office address of general office: Portland, Me.

HISTORY.

The Maine Central railroad company was organized under the laws of Maine. It operates the lines of the Upper Coos railroad and the Coos Valley railroad. The Upper Coos railroad was chartered in 1882 and its line opened in 1889. It was leased to the Upper Coos railroad company of New Hampshire, May 1, 1890, for 999 years. The Coos Valley railroad company was chartered in 1882 and its line opened in 1891. It was also leased to the Upper Coos railroad company of New Hampshire, on May 1, 1890, on the same date the latter road was leased to the Maine Central railroad company for 999 years.

MANCHESTER, DORSET & GRANVILLE RAILROAD CO.

OFFICERS.

Title.	Name.	Location of Office.
President,	O. W. Norcross,	Worcester, Mass.
Treasurer,	W. C. Tobin,	Worcester, Mass.
Secretary,	E. H. West,	Dorset, Vt.
General Manager,	P. W. Lincoln,	Manchester Depot Vt.

DIRECTORS.

Name.	Post Office Address.	Date of Expiration of Term.
O. W. Norcross,	Worcester, Mass.	June 14, 1906.
W. C. Tobin,	Worcester, Mass.	" "
P. W. Lincoln,	Manchester Depot, Vt.	" "
E. H. West,	Dorset, Vt.	" "
S. H. West,	Dorset, Vt.	" "

HISTORY.

The Manchester, Dorset & Granville railroad was chartered June 21, 1902, and the company organized December 9, of the same year. The work of constructing the first six miles began in January, 1903, and the tracks were in condition to carry freight April 1st, 1903. The work of ballasting, bridge building and fencing continued for several months later. The passenger service was inaugurated September 23, 1903, and the regular schedule has been maintained since that time. The last meeting of the directors was held January 29, 1903,

MONTPELIER & WELLS RIVER RAILROAD.

OFFICERS.

Title.	Name.	Location of Office.
President,	Alvin F. Sortwell,	Cambridge, Mass.
First Vice-President,	Geo. E. Carter	Boston, Mass.
Clerk and Treasurer,	F. W. Stanyan,	Montpelier, Vt.
Attorney or Gen. Counsel,	J. P. Lamson,	Montpelier, Vt.
Gen. Auditor,	F. S. Anable,	Boston, Mass.
Auditor and Cashier,	A. W. Prescott,	Montpelier, Vt.
General Manager,	W. A. Stowell,	Montpelier, Vt.
Superintendent,	F. W. Stanyan,	Montpelier, Vt.
Gen. Frt. and Pass. Agt.,	F. W. Morse,	Montpelier, Vt.

DIRECTORS.

Name.	Post Office Address.	Date of Expiration of Term.
A. F. Sortwell,	Cambridge, Mass.	June 7, 1906.
Geo. E. Carter,	Boston, Mass.	" "
Alexander Cochran,	Groton, Vt.	" "
J. W. Brock,	Montpelier, Vt.	" "
W. A. Stowell,	Montpelier, Vt.	" "

Date of last meeting of stockholders for election of directors: June 1, 1905.

Post office address of general office: Montpelier, Vt.

HISTORY.

Chartered November 6, 1867, as the Montpelier & Wells River railroad company. Road opened November 24, 1873. The original capital stock was \$400,000. Subsequently the road was bonded for \$800,000 but the interest on the bonds being defaulted for several years, the bondholders foreclosed and took possession of the road and put the same into the hands of trustees March 1, 1876. The company was reorganized January 1, 1877, under the name of the Montpelier & Wells River railroad, the face of the bonds that were foreclosed being made the capital stock.

RUTLAND RAILROAD.

OFFICERS.

Title.	Name.	Location of Office.
President,	Wm. H. Newman,	New York, N. Y.
Vice-Presidents,	E. V. W. Rossiter,	New York, N. Y.
	Wm. C. Brown,	Chicago, Ill.
	John Carstensen,	New York, N. Y.
	Wm. G. Wlguis,	New York, N. Y.
	Nathan Guilford,	New York, N. Y.
General Manager,	George T. Jarvis,	Rutland, Vt.
Secretary and Treasurer,	Austin G. Adams,	Rutland, Vt.
General Counsel,	H. H. Powers,	Rutland, Vt.
Auditor,	M. H. Chamberlin,	Rutland, Vt.
Superintendent,	S. S. Colton,	Rutland, Vt.
General Freight Agent,	George Cassidy,	Rutland, Vt.
General Passenger Agent,	C. A. Nimmo,	Rutland, Vt.
Chief Engineer,	Geo. L. Moore,	Rutland, Vt.

DIRECTORS.

Name.	Post Office Address.	Date of Expiration of Term.
James Stillman,	New York, N. Y.	October, 1905.
Robt. T. Paine, 2nd,	Boston, Mass.	" "
Hamilton McK. Twombly,	New York, N. Y.	" "
J. Pierpont Morgan,	New York, N. Y.	" "
Wm. Rockefeller,	New York, N. Y.	" "
W. Seward Webb,	Shelburne, Vt.	" "
Percival W. Clement,	Rutland, Vt.	" "
Chauncey M. Depew,	New York City.	" "
Olin Merrill,	Enosburg Falls, Vt.	" "
Fletcher D. Proctor,	Proctor, Vt.	" "
Wm. K. Vanderbilt,	New York, N. Y.	" "
F. W. Vanderbilt,	New York, N. Y.	" "
Wm. H. Newman,	New York, N. Y.	" "

Date of last meeting for election of directors, Oct. 30, 1903.

Port office address of general offices: Rutland, Vt.

HISTORY.

Chartered as the Champlain & Connecticut railroad company, November 1st, 1843. Charter modified in 1847, and name changed to Rutland & Burlington railroad company. Opened for travel in 1849. It was taken possession of and operated by the trustees of mortgage bonds in November, 1853. In 1867 the road was reorganized under the name of the Rutland railroad company. In December, 1870, it was leased to the management of the Vermont Central railroad for twenty years from January 1st, 1871, at an agreed annual rental. It was operated by the Central Vermont railroad, under a new lease for 999 years from December 31st, 1890, until May 8th, 1896, when the Rutland railroad company resumed operation of the line.

Under the authority of Act. No. 153, Laws of 1900, "An act to consolidate the Rutland railroad system," the following companies were consolidated under the name of the Rutland railroad company; Rutland railroad, Rutland Canadian railroad company, (charter November 4, 1898) Bennington & Rutland railroad company, (charter August 1, 1877) Ogdensburgh & Lake Champlain railroad company, (charter November 30, 1898) Chatham & Lebanon Valley railroad company, (charter September 21, 1899.)

ST. JOHNSBURY & LAKE CHAMPLAIN RAILROAD.

OFFICERS.

Title.	Name.	Location of Office
President and Supt.,	H. E. Folsom,	Lyndonville, Vt.
Vice-President,	H. N. Turner,	St. Johnsbury, Vt.
Secretary, Treasurer, and Asst. Supt.,	Geo. W. Cree,	St. Johnsbury, Vt.
General Auditor,	Wm. J. Hobbs,	Boston, Mass.
Gen. Traffic Manager,	Wm. F. Berry,	Boston, Mass.
Gen. Freight Agent,	M. T. Donovan,	Boston, Mass.
Gen. Passenger Agent,	D. J. Flanders,	Boston, Mass.
Assistant Cashier,	Geo. F. Nowell,	Boston, Mass.
Paymaster,	C. H. Nowell,	Boston, Mass.

DIRECTORS.

Name.	Post Office Address.	Date of Expiration of Term.
Carroll S. Page,	Hyde Park, Vt.	September 14, 1905
Harry Blodgett,	St. Johnsbury, Vt.	" "
Charles H. Stevens,	St. Johnsbury, Vt.	" "
H. E. Folsom,	Lyndonville, Vt.	" "
Geo. W. Hendec,	Morrisville, Vt.	" "
Samuel C. Lawrence,	Medford, Mass.	" "
Lucius Tuttle,	Boston, Mass.	" "
H. N. Turner,	St. Johnsbury, Vt.	" "

Date of last meeting for election of directors: September 8, 1904.

Post office address of general office: Boston, Mass.

Post office address of operating office: St. Johnsbury, Vt.

HISTORY.

This railroad is a union of the lines of three separate companies originally, namely, the Essex County railroad company, chartered in 1864, amended 1866; Montpelier & St. Johnsbury railroad company, chartered in 1866; and the Lamoille Valley railroad company chartered in 1867. Consolidation was effected by the three companies jointly bonding their property, but failing to pay the interest on bonds, all the roads went into receiver's hands October 18, 1877, the year that it was opened for business.

The road was first operated as the Portland & Ogdensburg railroad, Vermont division. It was reorganized under the name of the St. Johnsbury & Lake Champlain railroad January 31, 1880, and commenced to be operated under this name July 1, 1880, and so continues to the present time.

The Victory branch was constructed to the lumber districts in Victory, Granby and East Haven in 1882-3. It was built by the St. Johnsbury & Lake Champlain railroad company, by which it has been and is now owned and operated.

VERMONT VALLEY RAILROAD.

OFFICERS.

Title.	Name.	Location of Office.
President,	James H. Williams,	Bellows Falls, Vt.
Clerk and Treasurer,	John H. Williams,	Bellows Falls, Vt.

DIRECTORS.

Name.	Post Office Address.	Date of Expiration of Term.
Hugh Henry,	Chester, Vt.	October 4, 1905.
James H. Williams,	Bellows Falls, Vt.	" "
H. E. Folsom,	Lyndonville, Vt.	" "
John H. Albin,	Concord, N. H.	" "
Herbert B. Viall,	Keene, N. H.	" "
W. B. C. Stickney,	Bethel, Vt.	" "
John H. Williams,	Bellows Falls, Vt.	" "

Date of last meeting for election of directors: October 5, 1904.

Post office address of general office: Bellows Falls, Vt.

Post office address of operating office: In care of Boston & Maine railroad, Boston, Mass.

HISTORY.

Chartered November 8, 1848, as the Vermont Valley railroad. Reorganized under general laws of Vermont, July 3, 1871, as the Vermont Valley railroad company of 1871. Commenced operating in 1851. May 12, 1865, passed into the hands of trustees for ten years. In January, 1871, this lease was transferred to the Rutland railroad company, by which company it was operated until April 5, 1877. It then became a part of the Connecticut River system, by which it was operated until it passed into the hands of the Boston & Maine by lease dated January 1, 1893.

It is now operated by the latter company. The Vermont Valley railroad company of 1871 receives the gross earnings less operating expenses, taxes and interest on bonds, with a minimum guarantee of a sufficient sum to pay 4% on the entire capital stock. In 1902 the corporate name was changed to the Vermont Valley railroad.

WHITE RIVER RAILROAD.

OFFICERS.

Title.	Name.	Location of Office.
President,	Samuel Williams,	No. 68 Essex St., Boston, Mass.
Treasurer,	Edward Davis,	Bethel, Vt.
Asst. Treasurer,	C. D. Parker,	No. 78 Devonshire St., Boston, Mass.

DIRECTORS.

Name.	Post Office Address.	Date of Expiration of Term.
Samuel Williams,	Boston, Mass.	Not Known.
James A. Stiles,	Gardner, Mass.	" "
Edward Davis,	Bethel, Vt.	" "
C. D. Parker,	Boston, Mass.	" "
J. R. Tupper,	Rochester, Vt.	" "
E. L. Waterman,	Brattleboro, Vt.	" "
E. H. Edgerton,	Rochester, Vt.	" "

HISTORY.

Construction work begun in June, 1899, and was completed December 26th, 1899. The whole line was opened to the public between Bethel and Rochester, December 26th, 1899, has been maintained to the present time with the exception of a few weeks, when a spring freshet carried off one of the bridges.

WOODSTOCK RAILWAY.

OFFICERS.

Title.	Name.	Location of Office.
President,	John J. Dewey,	Quechee, Vt.
First Vice-President,	F. S. Mackenzie,	Woodstock, Vt.
Secretary,	J. G. Porter,	Woodstock, Vt.
Treasurer,	J. G. Porter,	Woodstock, Vt.
Auditor,	W. S. Dewey,	Quechee, Vt.
General Manager,	J. G. Porter,	Woodstock, Vt.
Traffic Manager,	J. G. Porter,	Woodstock, Vt.

DIRECTORS.

Name.	Post Office Address.	Date of Expiration of Term.
John J. Dewey,	Quechee, Vt.	
F. S. Mackenzie,	Woodstock, Vt.	Elected annually.
Franklin S. Billings,	Woodstock, Vt.	Time expires when
Samuel E. Kilner,	New York, N. Y.	others are elected.
Wm. E. Johnson,	Woodstock, Vt.	Annual meeting 2d
Frederick Billings,	Woodstock, Vt.	Wednesday in Sept.
Richard Billings,	Woodstock, Vt.	in each year.
J. G. Porter,	Woodstock, Vt.	

Date of last meeting of stockholders for election of directors: Second Wednesday, September, 1904.

Post office address of general office: Woodstock, Vt.

HISTORY.

The Woodstock railroad company was chartered by the legislature of Vermont, October 30, 1863. Construction was begun April 21, 1868, and was finished so that the road was opened for travel September 29, 1875.

The company was reorganized July 1, 1890, under the name of the Woodstock railway company.

Electric Railways.

BARRE & MONTPELIER POWER & TRACTION CO.

OFFICERS.

Title.	Name.	Location of Office.
President,	John J. Flynn,	Burlington, Vt.
Vice-President,	Henry K. Bush,	Barre, Vt.
Secretary,	H. K. Bush,	Barre, Vt.
Treasurer,	A. O. Humphrey,	Burlington, Vt.

DIRECTORS.

Name.	Post Office Address.
J. J. Flynn,	Burlington, Vt.
A. O. Humphrey,	Burlington, Vt.
H. K. Bush,	Barre, Vt.
D. M. Miles,	Barre, Vt.
T. J. Deavitt,	Montpelier, Vt.
R. A. Hoar,	Barre, Vt.
T. E. Price,	Middlesex, Vt.

Post office address of general office: Barre, Vt.

Post office address of operating office: Barre, Vt.

HISTORY.

Charter: Laws 1892, No. 198. Laws 1896, No. 205. Company organized 1897. Road opened, June 29, 1898. Total mileage, 9 1-5 miles. Passenger service only.

BELLOWS FALLS & SAXTONS RIVER RAILROAD.

OFFICERS.

Title.	Name.	Location of Office.
President,	D. A. Blakeslee,	New Haven, Conn.
Vice-President,	J. H. Holton,	Bellows Falls, Vt.
Treasurer,	S. C. Morehouse,	New Haven, Conn.
Secretary and Gen'l Counsel.	George A. Weston,	Bellows Falls, Vt.

DIRECTORS.

Name.	Post Office Address.
D. A. Blakeslee,	New Haven, Conn.
D. W. Blakeslee,	New Haven, Conn.
C. W. Blakeslee,	New Haven, Conn.
S. C. Morehouse,	New Haven, Conn.
J. H. Holton,	Bellows Falls, Vt.
E. L. Walker,	Bellows Falls, Vt.
J. F. Alexander, Sr.	Saxtons River, Vt.

Post office address of general office: Bellows Falls, Vt.

HISTORY.

Charter: Laws 1892, No. 135. Laws 1896, No. 206. Laws 1898, No. 168.

Road opened for operation, July 1900. Total mileage, 6 1-2 miles. Passengers and freight carried.

BENNINGTON & HOOSICK VALLEY RAILWAY.

OFFICERS.

Title.	Name.	Location of Office.
President,	Geo. E. Greene,	Hoosick Falls, N. Y.
Vice-President,	Joseph Buckley,	Hoosick Falls, N. Y.
Treasurer,	Irving E. Gibson,	Bennington, Vt.
Secretary,	Elwin H. Libby,	Hoosick Falls, N. Y.

DIRECTORS.

Name.	Post Office Address.
Geo. E. Greene,	Hoosick Falls, N. Y.
Joseph Buckley,	Hoosick Falls, N. Y.
Levi E. Worden,	Hoosick Falls, N. Y.
Frank H. White,	Hoosick Falls, N. Y.
Elwin H. Libby,	Hoosick Falls, N. Y.
John B. V. Quackenbush,	Hoosick Falls, N. Y.
Irving E. Gibson,	Bennington, Vt.
E. E. Larrabee,	Bennington, Vt.
F. S. Donnell,	Boston, Mass.

Post office address of general office: Hoosick Falls, N. Y.

HISTORY.

Bennington electric railway company chartered Laws 1894, No. 239. Consolidated with Hoosick railway company, (charter in New York) by authority of No. 169, laws 1898. Whole line commenced to operate July 1, 1898. Total mileage, 16 1-2 miles. Mileage in Vermont, about 8 miles. Chartered to carry both freight and passengers. Annual meeting third Tuesday in September each year.

BRATTLEBORO STREET RAILROAD COMPANY.

OFFICERS.

Title.	Name.	Location of Office.
President,	Chas. O. Robbins,	Brattleboro, Vt.
Vice-President,	F. L. Hunt,	Brattleboro, Vt.
Secretary,	F. L. Hunt,	Brattleboro, Vt.
Treasurer,	Dennison Cowles,	Brattleboro, Vt.
General Manager,	C. K. Jones,	Brattleboro, Vt.

DIRECTORS.

Name.	Location of Office.
Chas. O. Robbins,	Brattleboro, Vt.
F. L. Hunt,	Brattleboro, Vt.
M. A. Coolidge,	Fitchburg, Mass.
C. K. Jones,	Brattleboro, Vt.
H. J. Clark,	Brattleboro, Vt.

Post office address of general office: Brattleboro, Vt.

HISTORY.

Charter: Laws 1888, No. 207. Laws 1896, No. 208. Laws 1900, No. 140. Company organized, January 21, 1893. Road opened for operation, August, 1895. Total mileage 4 1-3 miles. Passenger service only.

BURLINGTON TRACTION COMPANY.

OFFICERS.

Title.	Name.	Location of Office.
President,	Elias Lyman,	Burlington, Vt.
Vice-President,	J. J. Flynn,	Burlington, Vt.
Treasurer,	W. F. Hendee,	Burlington, Vt.
Secretary,	C. W. Brownell,	Burlington, Vt.

DIRECTORS.

Name.	Post Office Address.
Elias Lyman,	Burlington, Vt.
J. J. Flynn,	Burlington, Vt.
W. F. Hendee,	Burlington, Vt.
A. E. Richardson,	Burlington, Vt.
A. O. Humphrey,	Burlington, Vt.
C. W. Brownell,	Burlington, Vt.
L. H. Turk,	Burlington, Vt.

Post office address of general office, Burlington, Vt.

HISTORY.

This road was chartered as the Winooski and Burlington Horse railroad company by number 226 of the laws of 1872, number 189 laws of 1886 and number 212 of the laws of 1888. The name was changed to the Burlington Traction company by act number 222 laws of 1896. The company was organized in September, 1885, and was equipped with electric power September 5th, 1893. Total mileage 10.77 miles. Passenger service only.

MILITARY POST STREET RAILWAY.

OFFICERS.

Title.	Name.	Location of Office.
President,	W. F. Hendee,	Burlington, Vt.
Vice-President,	A. O. Humphrey,	Burlington, Vt.
Secretary,	C. W. Brownell,	Burlington, Vt.
Treasurer,	John J. Flynn,	Burlington, Vt.

DIRECTORS.

Name.	Post Office Address.
W. F. Hendee,	Burlington, Vt.
John J. Flynn,	Burlington, Vt.
A. O. Humphrey,	Burlington, Vt.
Elias Lyman,	Burlington, Vt.
A. E. Richardson,	Burlington, Vt.
C. W. Brownell,	Burlington, Vt.
L. H. Turk,	Burlington, Vt.

Date of last meeting for election of directors: second Wednesday July, 1905.

Post office address of general office: Burlington, Vt.

HISTORY.

Charter: Laws 1892, No. 139. Laws 1896, No. 211. Company organized, December 7, 1893. Road opened, July 27, 1895. Passenger service only. Operated in connection with Burlington traction company. Total mileage, 4.64 miles.

MOUNT MANSFIELD ELECTRIC RAILWAY.

OFFICERS.

Title.	Name.	Location of Office.
President,	A. H. Soden,	Boston, Mass.
Vice-President,	P. D. Pike,	Stowe, Vt.
Secretary,	L. C. Moody,	Waterbury, Vt.
Treasurer,	W. B. Macutchan,	Stowe, Vt.
General Manager,	F. J. Shepard,	Derry, N. H.
Superintendent,	W. B. Macutchan,	Stowe, Vt.

DIRECTORS.

Name.	Post Office Address.
A. H. Soden,	Boston, Mass.
F. J. Shepard,	Derry, N. H.
G. K. Bartlett,	Derry, N. H.
M. J. Kendall,	Boston, Mass.
G. E. Moody,	Waterbury, Vt.
P. D. Pike,	Stowe, Vt.
C. L. McMahon,	Stowe, Vt.

Post office address of general office: Stowe, Vt.

HISTORY.

Charter: Laws 1894, No. 241. Company organized, January 21, 1895, Road commenced to operate, December 1, 1897. Total mileage, 10 1-2 miles. Passengers and freight carried.

RUTLAND STREET RAILWAY.

OFFICERS.

Title.	Name.	Location of Office.
President,	David Fox,	Rutland, Vt.
Vice-President,	John P. Munn,	New York, N. Y.
General Manager,	David Fox,	Rutland, Vt.
Secretary & Treasurer,	C. H. West,	Rutland, Vt.

DIRECTORS.

Name.	Post Office Address.	Date of Expiration of Term.
John P. Munn,	New York, N. Y.	Annual Meeting July
C. H. West,	Rutland, Vt.	" " "
David Fox,	Rutland, Vt.	" " "
Edwin Langdon,	Upper Montclair, N. J.	" " "

Date of last meeting for election of directors: July, 1905.

Post office address of general office: Rutland, Vt.

HISTORY.

Charter: Laws 1882, No. 181. Laws 1896, No. 218. Company organized, 1885. Road opened for operation, 1885. Total mileage, 23.3 miles. Passenger service only.

SPRINGFIELD ELECTRIC RAILWAY.

OFFICERS.

Title.	Name.	Location of Office.
President,	E. C. Crosby,	Springfield, Vt.
Vice-President,	M. A. Coolidge,	Springfield, Vt.
Treasurer,	M. A. Coolidge,	Springfield, Vt.
General Manager,	E. C. Crosby,	Springfield, Vt.
Superintendent,	A. J. Crosby,	Springfield, Vt.

DIRECTORS.

Name.	Post Office Address.
E. C. Crosby,	Brattleboro, Vt.
M. A. Coolidge,	Fitchburg, Mass.
F. S. Coolidge,	Fitchburg, Mass.
W. W. Brown,	Springfield, Vt.
A. J. Crosby,	Springfield, Vt.

Post office address of general office: Springfield, Vt.

HISTORY.

Charter: Laws 1894, No. 242. Laws 1896, No. 220. Company organized, 1896. Road opened, 1897. A freight and passenger road. Total mileage, 8 miles and 124 feet, including 2 3-4 miles in New Hampshire.

ST. ALBANS STREET RAILWAY.

OFFICERS.

Title.	Name.	Location of Office.
Receivers,	W. H. Vorce,	Southbridge, Mass.
Agent of Receivers,	F. B. Smith,	Worcester, Mass.
	F. H. Foote,	St. Albans, Vt.

Post office address of general office: St. Albans, Vt.

HISTORY.

Charter: Laws of 1892, No. 140; Laws of 1898, No. 178; laws of 1900, No. 156. Company organized, 1900. Road opened August, 1901. Passenger and freight service authorized by charter. Receivership September 2nd, 1905.

PART II.

STATISTICAL TABLES

STATISTICAL TABLES
STEAM RAILROADS

TABLE I.
MILEAGE ON JUNE 30, 1906.

IN VERMONT.

NAME OF COMPANY	MAIN LINE AND BRANCHES.		Total miles main yard tracks and sidings.
	FROM	TO	Miles.
1 Atlantic & St. Lawrence (Grand Trunk).....	North Stratford, N. H.	Norton Mills, Vt.	30.56
2 Barre.....	City of Barre	Quarries in Barre and Williamstown.....	9.26
3 Boston & Maine.....	White River Junction.....	Canadian Line in Derby.....	11.25
4 Bristol.....	Main Line in Fernald.....	New York Line in Pownal.....	12.70
	Bristol.....	New Haven Junction.....	6.50
	Windsor.....	Rouses Point.....	158.40
	Swanton Junction.....	Canadian Line.....	11.00
	Burlington.....	Essex Junction.....	8.00
	Essex Junction.....	Cambridge Junction.....	26.00
5 Central Vermont.....	Montpelier Junction.....	Montpelier.....	1.40
	Montpelier.....	Williamstown.....	13.50
	Bethel.....	Quarries.....	5.00
	St. Albans.....	Richford.....	28.00
	Brattleboro.....	South Vernon.....	10.00
	Brattleboro.....	South Londonderry.....	36.00
6 Clarendon & Pittsford.....	Pittsford Quarries.....	West Rutland.....	14.50
	Center Rutland.....	Rutland.....	1.78
	Rutland.....	Eagle Bridge, N. Y.	29.82
7 Delaware & Hudson.....	New York Line.....	Cartleton.....	9.88
	Canadian Line.....	Albany Junction.....	3.10
8 Grand Trunk.....	Granite Junction.....	Woodbury Quarry.....	9.50
9 Hardwick & Woodbury.....	Summit.....	Fletcher Quarry.....	7.75
	Massachusetts Line.....	Wilmington.....	16.78
10 Hoosac Tunnel & Wilmington.....	Guildhall.....	Brunswick.....	12.29
11 Maine Central.....	Canaan.....	Canadian Line.....	1.56
	Manchester.....	West Dorset.....	5.09
12 Manchester, Dorset & Granville.....	Montpelier.....	Wells River.....	38.20
13 Montpelier & Wells River.....	Richford.....	Barre.....	5.42
14 Montreal & Atlantic (C. P. R.).....	White Creek.....	Newport.....	21.00
	New York Line.....	Canada Line.....	161.42
15 Rutland.....	Bennington.....	Bennington.....	5.12
	Bellows Falls.....	North Bennington.....	4.07
	Leicester Junction.....	Rutland.....	52.21
16 St. Johnsbury & Lake Champlain.....	Albany.....	Rouses Point.....	3.00
	Lamontburg.....	New York Line.....	13.75
	North Concord.....	Maquam Bay.....	120.00
17 Vermont Valley.....	Brattleboro.....	East Haven.....	11.50
18 White River Valley.....	Rochester.....	Bellows Falls.....	24.00
19 Woodstock.....	Woodstock.....	Bethel.....	18.86
		White River Junction.....	13.88
		Total miles main line and branches.....	1,062.55

TABLE II.

RAILROAD CAPITAL AT CLOSE

1	2	3	4
NAME OF COMPANY	STOCKS.		FUNDED
	Amount outstanding.	Amount per mile of line.	Amount outstanding.
	Dollars.	Dollars.	Dollars.
1 Atlantic and St. Lawrence.....	5,484,000	33,192	3,438,000
2 Barre.....(1)	400,000	43,196	
3 Boston & Maine.....	26,987,870	43,811	31,405,008
4 Bristol.....	100,000	15,175	100,000
5 Central Vermont.....	3,000,000	12,180	11,000,000
6 Clarendon & Pittsford.....	200,000	13,793	
7 Delaware & Hudson.....(2)	41,123,600		7,650,000
8 Hardwick & Woodbury.....	73,675	9,506	
9 Hoosac Tunnel & Wilmington.....	250,000	10,000	250,000
10 Maine Central.....	4,988,000	12,608	12,492,192
11 Manchester, Dorset & Granville.....	72,500	14,243	60,000
12 Montpelier & Wells River.....	800,000	20,942	
13 Montreal & Atlantic.....	3,200,000	22,972	1,065,000
14 Rutland.....	9,257,000	23,310	11,996,000
15 St. Johnsbury & Lake Champlain.....	3,848,500	29,266	2,500,000
16 Vermont Valley.....	1,000,000	41,667	800,000
17 White River.....	250,000	12,500	250,000
18 Woodstock.....	250,000	18,011	

RAILROAD CAPITAL AT CLOSE

1 Atlantic & St. Lawrence.....	5,484,000	33,192	3,438,000
2 Barre.....(1)	400,000	43,196	
3 Boston & Maine.....	27,787,870	45,384	30,808,743
4 Bristol.....	100,000	15,175	100,000
5 Central Vermont.....	3,000,000	12,180	11,605,000
6 Clarendon & Pittsford.....	200,000	13,793	
7 Delaware & Hudson.....(2)	40,940,000		6,700,000
8 Hardwick & Woodbury.....	73,675	9,506	
9 Hoosac Tunnel & Wilmington.....	250,000	10,000	250,000
10 Maine Central.....	4,988,000	12,608	11,892,192
11 Manchester, Dorset & Granville.....	72,500	14,243	60,000
12 Montpelier & Wells River.....	800,000	20,942	
13 Montreal & Atlantic.....	3,200,000	22,972	1,065,000
14 Rutland.....	9,257,000	23,310	11,573,000
15 St. Johnsbury & Lake Champlain.....	3,848,500	29,266	2,500,000
16 Vermont Valley.....	1,000,000	41,667	800,000
17 White River.....	250,000	12,500	250,000
18 Woodstock.....	250,000	18,011	

(1) For Year ending April 30.

(2) No part of capital is apportioned to railroads.

TABLE II.
OF YEAR ENDING JUNE 30, 1904.

5	6	7	8	9	10	11	
DEPT.					SUMMARY.		
Amount per mile of line.	DESIGNATION.				Total railroad capital.	Amount per mile of line.	
	Bonds.	Miscellan- eous obliga- tions.	Income bonds.	Equip- ment, trust obli- gations.			
	Dollars.	Dollars.	Dollars.	Dollars.	Dollars.	Dollars.	
20,809	3,438,000				8,922,000	54,001	1
					400,000	43,196	2
50,982	10,918,508	20,486,500			58,392,879	94,793	3
15,175	100,000				200,000	30,350	4
44,660	11,000,000				14,000,000	56,841	5
					200,000	13,793	6
	5,000,000	1,900,000		750,000	48,773,600		7
					73,675	9,506	8
10,000	250,000				500,000	20,000	9
31,577	11,442,192	1,050,000			17,480,192	44,185	10
11,787	60,000				132,500	26,031	11
					800,000	20,942	12
12,500	1,065,000				4,265,000	35,472	13
30,208	10,750,000			1,246,000	21,253,000	53,519	14
19,011	2,500,000				6,348,500	48,277	15
33,333	800,000				1,800,000	75,000	16
12,500	250,000				500,000	25,000	17
					250,000	18,011	18

OF THE YEAR ENDING JUNE 30, 1905.

20,809	3 438,000				8,922,000	54,001	1
					400,000	43,196	2
50,317	10,822,243	19,986,500			58,596,614	95,701	3
15,175	100,000				200,000	30,350	4
47,117	11,000,000			605,000	14,605,000	59,297	5
					200,000	13,793	6
	5,000,000	1,700,000			47,640,000		7
					73,675	9,506	8
10,000	250,000				500,000	20,000	9
30,060	11,442,192	450,000			16,880,192	42,669	10
11,787	60,000				132,500	26,031	11
					800,000	20,942	12
12,500	1,065,000				4,265,000	35,472	13
29,898	10,750,000			1,123,000	21,130,000	53,209	14
19,011	2,500,000				6,348,500	48,277	15
33,333	800,000				1,800,000	75,000	16
12,500	250,000				500,000	25,000	17
					250,000	18,011	18

TABLE III.

EARNINGS AND INCOME FOR

1	2	3	4	5	6	7	8
NAME OF COMPANY.	EARNINGS ARISING FROM PASSENGER SERVICE.						
	Passenger Revenue.	Revenue per passenger per mile.	Mail.	Express.	Total passenger earnings, including miscellaneous.	Passenger earnings per train mile.	Prop. to total earnings, 100 X Col. 6 + Col. 16, Per Cent.
	Dollars.	Cents.	Dollars	Dollars.	Dollars.	Dollars.	
1 Atlantic & St. L. (G. T.) { (1) 27,951	27,951	.02167	24,381	47,496	40,895	0.84000	
(2) 296,312	296,312	.03814			368,189	0.93700	29.6
2 Barre	1,979	.03814			1,979	1.11845	2.3
3 Boston & Maine	*12,168,345	.01784	457,551	1,027,086	13,800,938	1.21409	39.6
4 Bristol	5,483	.01751			7,234	.40.8	
5 Central Vermont	(1) 644,993	.02243	60,240	43,661	760,529	1.06079	34.5
6 Clarendon & Pittsford	28				28		
7 Delaware & Hudson	(2) 996,773	.02212	44,045	73,447	1,130,588	0.91044	34.7
8 Hardwick & Woodbury	48	.02606			48	0.00822	
9 Hoosac Tunnel & Wilmington (2) 14,807	14,807	.03462	1,115	1,886	17,809	0.46371	26.4
10 Maine Central	(2) 2,360,459	.02035	187,587	126,661	2,732,134	1.31572	39.5
11 Manchester, D. & G.	668				668	.4.0	
12 Montpelier & Wells River	56,005	.02596	3,647	2,800	62,453	.63947	34.6
13 Montreal & At. (C. P. R.) { (1) 40,853	40,853	.02185	1,256	1,834	43,944	1.04029	
(2) 170,223	170,223	.02593			186,165	.72812	34.3
14 Rutland	(1) 507,588	.02062	39,369	30,836	585,841	.78190	
(2) 845,980	845,980	.02234			976,403	.85581	38.9
15 St. Johnsbury & L. C.	92,235	.02611	12,374	5,080	111,559	.66222	32.3
16 Vermont Valley	104,588	.02289	6,880	3,360	115,930	1.50402	35.0
17 White River	2,892		823	723	5,277	.26.0	
18 Woodstock	16,709	.03673	945	1,000	18,655	.57562	43.8

EARNINGS AND INCOME FOR

1 Atlantic & St. L. (G. T.) { (1) 30,755	30,755	.02238			43,421	.67816	
(2) 294,130	294,130	.02124	24,386	46,955	365,472	.92560	27.3
2 Barre	1,967	.06124			1,967	1.28275	2.0
3 Boston & Maine	*12,329,832	.01755	458,318	1,156,871	14,090,475	1.23266	39.1
4 Bristol	5,461	.02040			7,501	.44.0	
5 Central Vermont	(1) 663,078	.02281	59,627	50,630	786,393	1.09007	
6 Clarendon & Pittsford	10				10		
7 Delaware & Hudson	(2) 970,799	.02180	44,045	74,656	1,105,700	.92190	33.7
8 Hardwick & Woodbury	61	.02641			61	.01121	
9 Hoosac T. & Wilmington. (2) 15,339	15,339	.03448	1,171	2,027	18,538	.49367	26.0
10 Maine Central	(2) 2,436,159	.02017	188,684	128,847	2,813,739	1.31674	38.8
11 Manchester, D. & G.	815	.03213			815	.5.7	
12 Montpelier & Wells River	58,493	.02770	3,647	2,800	64,941	.66535	34.0
13 Montreal & At. (C. P. R.) { (1) 37,502	37,502	.02051	1,256	1,603	40,362	.95179	
(2) 174,430	174,430	.02524			190,263	.66931	28.5
14 Rutland	(1) 493,736	.01997	41,858	30,976	577,114	.76962	
(2) 822,893	822,893	.02163			961,857	.86406	37.4
15 St. Johnsbury & L. C.	93,079	.02583	12,373	6,017	113,239	.67342	31.8
16 Vermont Valley	106,291	.02287	6,877	5,040	119,395	1.52069	34.7
17 White River	3,027		823	796	5,716	.25.5	
18 Woodstock	17,366	.03687	945	1,000	19,312	.58522	42.8

(1) Line in Vermont.

(2) Entire line.

* Includes steam railroads only

(3) Mail and express.

† Year ending April 30.

TABLE III.

THE YEAR ENDING JUNE 30, 1904.

9	10	11	12	13	14	15	16	17	
EARNINGS ARISING FROM FREIGHT SERVICE					OTHER EARNINGS.		SUMMARY OF EARNINGS.		
Freight Revenue	Revenue per ton per mile.	Total freight earnings, including stock yards elevators and miscellaneous.	Freight earnings per train mile.	Proportion to total earnings. 100 × Col. 11 ÷ Col. 10. Per ct.	Balance of car Miles, switching, etc.	Telegraph and other sources.	Total earnings from operation. Cols. 6 + 11 + 14 + 15	Total earnings per train mile	
Dollars.	Dolls.	Dollars.	Dollars.		Dollars.	Dollars.	Dollars.	Dollars.	
146,742	.00430	146,742	1.55303	70.4		4,138	1,246,612	1.18713	1
874,285	.00521	874,285	1.81040	97.7	2,522	4,043	84,004	6.91736	2
75,459	.09116	75,459	7.27391	59.2	163,456	101,609	34,894,608	1.76215	3
20,363,605	.01178	20,658,268	2.42563	58.0			17,722		4
10,487		10,487		63.9		43,818	2,231,825	1.43228	5
1,427,476	.00778	1,427,476	1.50184	100.			38,334		6
38,306	.07475	38,306		62.2		97,607	3,252,254	1.79290	7
2,024,059	.01084	2,024,059	3.29203	100	136		25,455	4.28486	8
25,270	.06067	25,270	4.27663	73.5			67,421	1.45833	9
49,612	.06307	49,612	3.38283	57.4		118,196	6,912,981	2.02918	10
4,019,831	.01091	4,062,650	2.78638	96.0			16,630		11
15,961		15,961		65.4		460	179,999	1.44751	12
117,084	.02703	117,084	2.31966	63.3		3,859	130,204	1.10362	
82,400	.00709	82,400	1.08799				542,244	1.10639	13
343,337	.00783	343,337	9.1542				1,425,392	1.27981	
839,550	.00803	839,550	1.75003	55.8			2,507,143	1.42451	14
1,399,250	.00904	1,399,250	1.82585	65.8	3,102	3,164	344,599	1.01702	15
223,813	.01451	226,773	1.14822	63.9	2,598	682	330,035	1.59224	16
210,413	.01061	211,424	1.61919	73.9			20,290		17
15,013		15,013		56.1			42,544	1.29375	18
23,889	.09252	23,889	.72611						

THE YEAR ENDING JUNE 30, 1905.

158,455	.00474	158,455	1.68942	72.2		4,580	1,334,875	1.54517	1
964,822	.00643	964,822	2.05090	88.8	4,376	4,120	94,242	7.96900	2
83,777	.09290	83,777	8.14007	60.1	163,162	87,527	36,011,713	1.79728	3
21,353,017	.01152	21,670,939	2.47300	55.8		29	17,044		4
9,513		9,513		100.		38,265	2,226,172	1.46479	5
1,401,513	.00757	1,401,513	1.56414	63.5		89,727	3,279,722	1.84082	7
44,240	.07941	44,240		100.			23,187	4.25220	8
2,084,294	.00942	2,084,294	3.37523	73.9			71,186	1.55988	9
23,126	.08973	23,126	4.24099	59.4		124,700	7,251,535	2.05468	10
52,648	.06645	52,648	3.55061	94.1			13,932		11
4,262,252	.01074	4,313,096	2.86013	65.4		892	190,489	1.52667	12
13,116		13,116		69.6		3,196	143,329	1.36947	
124,654	.02673	124,654	2.43048				666,413	1.37091	13
99,770	.00813	99,770	1.60264				1,472,615	1.84835	
464,049	.01082	464,049	1.32084	58.0			2,569,996	1.89331	14
895,500	.00836	895,500	1.84835	62.0	3,751	2,870	355,861	1.02426	15
1,492,500	.00836	1,492,500	1.89331	64.2	2,309	1,034	343,490	1.58706	16
233,323	.01414	236,000	1.16541	74.4			22,344		17
219,822	.01062	220,750	1.60059	57.1			45,112	1.36703	18
16,627		16,627							
25,799	.08558	25,799	.78182						

TABLE IV.
OPERATING EXPENDITURES FOR YEAR ENDING JUNE 30, 1904.

NAME OF COMPANY.	DISTRIBUTION OF OPERATING EXPENSES.							
	TOTAL OPERATING EXPENSES.				DISTRIBUTION OF OPERATING EXPENSES.			
	Amount. Cols. 5 + 6 + 7 + 8.	Per train mile.	Percentage of expenses to earnings 100 X col. 2 + col. 16. Table III.	Per cent.	Maintenance of way and structures.	Maintenance of equipment	Conducting transportation.	General expenses
	Dollars.	Dollars.			Dollars.	Dollars.	Dollars.	Dollars.
1 Atlantic & St. Lawrence (G. T.)	1,418,154	1.61914	113.76	113.76	346,222	252,565	787,564	31,802
2 Barre	37,911	3.12184	45.13	45.13	16,414	2,885	14,431	4,169
3 Boston & Maine	*25,271,907	\$1.27342	*72.42	*72.42	*3,328,702	*3,646,820	*16,975,965	*820,819
4 Bristol	15,481		87.30	87.30			3,384	
5 Central Vermont	1,718,479	1.10284	76.99	76.99	257,265	306,186	1,094,147	60,880
6 Clarendon & Pittsford	34,349		89.60	89.60	11,745	1,977	30,526	100
7 Delaware & Hudson	2,568,303	1.41585	78.96	78.96	522,264	432,635	1,475,140	138,291
8 Hardwick & Woodbury	20,519	3.47253	80.61	80.61	6,925	1,339	10,952	701
9 Hoosac Tunnel & Wilmington	50,870	1.10049	75.45	75.45	16,821	9,358	20,017	4,672
10 Maine Central	5,101,543	1.49746	73.79	73.79	1,091,414	1,318,722	2,499,672	191,784
11 Manchester, Dorset & Granville								
12 Montpelier & Wells River	145,316	1.16860	80.73	80.73	40,233	18,923	71,785	14,374
13 Montpelier & Atlantic (C. P. R.)	610,542	1.24572	112.59	112.59	182,857	65,588	344,445	17,690
14 Rutland	1,738,214	.98762	69.33	69.33	302,376	320,399	1,023,950	90,988
15 St. Johnsbury & Lake Champlain	300,566	.88707	87.22	87.22	85,296	8,351	196,324	10,595
16 Vermont Valley	252,104	1.21406	76.24	76.24	100,861	16,165	131,196	3,881
17 White River	22,928		113.00	113.00	9,177	922	11,743	1,085
18 Woodstock	26,545	.80684	62.39	62.39	7,139	2,820	14,366	2,218

TABLE V.
INCOME ACCOUNT FOR YEAR ENDING JUNE 30, 1904.—(Continued).

11	12	13	14	15	16	17	18	19	20
NAME OF COMPANY.	EXPENSES ASSIGNABLE TO FIXED CHARGES.								
	DESIGNATION.								
	Interest on funded debt accrued	Interest on interest bearing current liabilities accrued.	Rents paid for lease of road.	Taxes.	Permanent improvements charged to income account	Other deductions.	Total fixed charges. Cols. 11+12+13+14+15+16.	Net income Cols 10—17	Net deficit. Cols. 17—10.
	Dollars.	Dollars.	Dollars.	Dollars.	Dollars.	Dollars.	Dollars.	Dollars.	Dollars.
1 Atlantic & St. Lawrence (G. T.)..... (1)	206,280		18,000	52,786			277,066		448,607
2 Barre..... (1)				2,064			2,064	46,290	
3 Boston & Maine..... (1)	1,383,479	75,023	5,083,277	1,633,266		175,077	8,350,128	1,849,456	
4 Bristol..... (2)	4,000	141					4,141		1,864
5 Central Vermont..... (1)	440,000		25,916	50,479			516,395	2,645	
6 Claremont & Pittsford..... (1)		151		1,218			1,369		
7 Delaware & Hudson..... (1)			1,076,321	161,198			1,237,519		2,615
8 Hardwick & Woodbury..... (1)		355		476			832	4,103	
9 Hoosac Tunnel & Wilmington..... (1)	12,500	1,001		1,585			15,087	2,220	
10 Maine Central..... (1)	643,110		545,875	240,000		29,440	1,458,425	431,652	
11 Manchester, Dorset & Granville..... (1)								30,750	
12 Montpelier & Wells River..... (1)			4,800	4,680	3,474		12,954		106,724
13 Montreal & Atlantic (C. P. R.)..... (1)			33,120	5,307			38,427		
14 Rutland..... (1)			19,000	70,956	103,043	100,000	806,432	11,559	
15 St. Johnsbury & Lake Champlain..... (1)	513,432	12,614		8,334			86,749		40,979
16 Vermont Valley..... (1)	60,400								
17 White River..... (1)	40,000			8,001			48,001	80,028	
18 Woodstock..... (1)				1,101			1,101	15,108	

INCOME ACCOUNT FOR YEAR ENDING JUNE 30, 1905.—(Continued).

1 Atlantic & St. Lawrence (G. T.).....	(1)	206,280				18,000	55,944			280,224		324,546	1
2 Barre.....	(1)						2,086			2,086		58,100	2
3 Boston & Maine.....	(1)	1,385,842			76,535	5,069,577	1,605,480		160,077	8,297,521		1,883,572	3
4 Bristol.....	(1)	4,093								4,093		1,268	4
5 Central Vermont.....	(2)	445,412				26,166	50,040			521,618		3,669	5
6 Clarendon & Pittsford.....							1,006			1,006		6,120	6
7 Delaware & Hudson.....						1,064,792	141,054			1,205,846			7
8 Hardwick & Woodbury.....							505			505		1,561	8
9 Hoosac Tunnel & Wilmington.....	(1)	12,500			192		947			13,439		6,884	9
10 Maine Central.....	(1)	631,890				545,875	200,400		494,693	1,932,829		527,230	10
11 Manchester, Dorset & Granville.....													11
12 Montpelier & Wells River.....						4,800	4,948	424		10,173		37,235	12
13 Montreal & Atlantic (C. P. R.).....	(1)					33,120	6,903			105,835			13
14 Rutland.....	(1)	507,785				19,000	77,227	19,944	100,000	723,956		211,073	14
15 St. Johnsbury & Lake Champlain.....	(1)	66,400			10,044		8,533			85,097			15
16 Vermont Valley.....		40,000					8,442			48,442		106,748	16
17 White River.....													17
18 Woodstock.....							1,165			1,165		18,984	18

(1) Entire Line.

(2) Line in Vermont.

‡ Year ending April 30.

TABLE V.

INCOME ACCOUNT FOR YEAR

21	22	23	24	25	26	27
NAME OF COMPANY.	PAYMENTS FROM NET INCOME.					Surplus from opera- tions of year ending June 30, 1904. Dollars.
	DIVIDENDS DECLARED.				Total payments from net income including miscel- laneous. Dollars.	
	COMMON STOCK.		PREFERRED STOCK.			
	Amount. <i>Dollars.</i>	Rate per cent.	Amount. <i>Dollars.</i>	Rate per cent.		
1 Atlantic & St. Lawrence (G. T.) . . (1)	329,040	6			329,040	
2 Barre	20,000	5			20,000	25,290
3 Boston & Maine (1)	1,590,011	7	188,988	6	1,778,999	70,456
4 Bristol						
5 Central Vermont (2)						2,645
6 Clarendon & Pittsford						2,615
7 Delaware & Hudson (1)						
8 Hardwick & Woodbury						4,103
9 Hoosac Tunnel & Wilmington . . (1)	5,000	2			5,000	
10 Maine Central (1)	348,348	7			348,348	83,304
11 Manchester, Dorset & Granville . .						
12 Montpelier & Wells River	40,000	5				
13 Montreal & Atlantic (C. P. R.) . . (1)						
14 Rutland (1)						11,559
15 St. Johnsbury & Lake Champlain . .						
16 Vermont Valley	80,000	8			80,000	28
17 White River						
18 Woodstock	9,996	4			9,996	5,202

(1) Entire Line.

(2) Line in Vermont.

† Paid by the Grand Trunk Ry., lessees.

§ Year ending April 30.

‡ Deficit charged to D. & H. Co.

TABLE V.

ENDING JUNE 30, 1904. (Concluded.)

28	29	30	31	32	33	34	
Deficit from opera- tions of year ending June 30, 1904.	Surplus on June 30, 1903.	Deficit on June 30, 1903.	Addi- tions for year.	Deductions for year	Surplus on June 30, 1904	Deficit on June 30, 1904	
<i>Dollars.</i>	<i>Dollars.</i>	<i>Dollars.</i>	<i>Dollars.</i>	<i>Dollars.</i>	<i>Dollars.</i>	<i>Dollars.</i>	
†777,647						(†)	1
	72,983		26,290		99,273		2
	1,565,165			97,547	1,538,074		3
1,864	4,870			1,854	3,005		4
	9,465		2,645		12,111		5
	61,618		2,615		64,233		6
†553,563							7
	972		4,103		5,076		8
2,779	8,040			4,036	1,224		9
	286,093			86,283	283,114		10
							11
9,249	200,207			9,253	191,014		12
106,724		51,060		106,724		157,785	13
	725,022		11,559	18,275	718,306		14
40,979		1,447,997	107,640			1,596,617	15
	96,577		28		96,605		16
							17
	45,793		5,202		50,997		18

TABLE V.

INCOME ACCOUNT FOR YEAR

35	36	37	38	39	40	41
NAME OF COMPANY.	PAYMENTS FROM NET INCOME.					Surplus from operations of year ending June 30 1905.
	DIVIDENDS DECLARED.				Total payments from net income including miscellaneous.	
	COMMON STOCK.		PREFERRED STOCK.			
	Amount. <i>Dollars.</i>	Rate per cent.	Amount. <i>Dollars.</i>	Rate per cent.			Dollars.
1 Atlantic & St. Lawrence (G. T.) . . (1)	329,040	6			329,040	
2 Barre	20,000	5			20,000	38,100
3 Boston & Maine (1)	1,617,658	7	188,988	6	1,806,646	76,926
4 Bristol						1,268
5 Central Vermont (2)						3,669
6 Clarendon & Pittsford						6,120
7 Delaware & Hudson						
8 Hardwick & Woodbury			1,750	7	1,750	
9 Hoosac Tunnel & Wilmington . . (1)						6,884
10 Maine Central (1)	348,365	7			348,365	178,870
11 Manchester, Dorset & Granville . .						
12 Montpelier & Wells River	40,000	5			40,000	
13 Montreal & Atlantic (C. P. R.) . . (1)						
14 Rutland (1)						211,073
15 St. Johnsbury & Lake Champlain . .						
16 Vermont Valley	100,000	10			100,000	6,748
17 White River						
18 Woodstock	11,245	4.5			11,245	7,738

(1) Entire Line.

(2) Line in Vermont.

† Paid by the Grand Trunk Ry. lessees.

‡ Year ending April 30.

‡ Deficit charged to D. & H. Co.

TABLE V.

ENDING JUNE 30, 1905. (Concluded.)

42	43	44	45	46	47	48	
Deficit from operations of year ending June 30, 1905	Surplus on June 30, 1904	Deficit on June 30, 1904	Addi- tions for year.	Deductions for year.	Surplus on June 30, 1905	Deficit on June 30, 1905	
<i>Dollars.</i>	<i>Dollars.</i>	<i>Dollars.</i>	<i>Dollars.</i>	<i>Dollars.</i>	<i>Dollars.</i>	<i>Dollars.</i>	
†653,586						(†).....	1
	99,273		38,100		137,374		2
	1,538,074		955,065		2,494,140		3
	3,005		1,268		4,274		4
	12,111		3,669		15,780		5
	62,158		6,120		68,278		6
‡494,539						†	7
188	5,076			188	4,888		8
	283,114		1,074,084	178,870	1,178,328		9
							10
2,764	191,014			2,794	188,219		11
60,332		157,785		60,332		218,117	12
	718,306		211,073	4,735	924,643		13
19,231		1,596,617		19,231		1,615,849	14
	96,605		6,748		103,354		15
	50,997		7,738		58,736		16
							17
							18

TABLE VI

GENERAL BALANCE SHEET FOR

1	2	3	4	5	6
NAME OF COMPANY.	ASSETS.				
	Cost of road.	Cost of equip- ment.	Stocks owned.	Bonds owned.	Cash and current assets.
	Dollars.	Dollars.	Dollars.	Dollars.	Dollars.
1 Atlantic & St. Lawrence (G. T.) (1)	8,922,000				
2 Barre (2)	288,172	121,547			66,642
3 Boston & Maine (3)	42,979,441	7,223,320	9,720,970	924,083	7,907,804
4 Bristol	200,000		100		
5 Central Vermont (4)	13,823,274			(5) 1267,779	529,848
6 Clarendon & Pittsford	198,617	71,423			9,130
7 Delaware & Hudson (6)	55,375	20,459			3,479
8 Hardwick & Woodbury	436,566	77,853			23,441
9 Hoosac Tunnel & Wilmington	14,562,748	2,617,687	133,972	404,500	2,319,541
10 Maine Central					
11 Manchester, Dorset & Granville (7)	800,000	26,205			180,398
12 Montpelier & Wells River	4,157,481			1,065,000	
13 Montreal & Atlantic (C. P. R.)	18,178,841	2,361,482	909,310	472,800	579,561
14 Rutland	4,650,825		242,250		96,174
15 St. Johnsbury & Lake Champlain	985,372	96,959	800,000		62,204
16 Vermont Valley					
17 White River (7)	250,000	23,610			24,754
18 Woodstock					

GENERAL BALANCE SHEET FOR

1 Atlantic & St. Lawrence (G. T.) (1)	8,922,000				
2 Barre (2)	288,921	148,334			73,748
3 Boston & Maine (3)	43,265,091	7,223,320	9,719,161	1,027,618	8,468,701
4 Bristol	200,000		100		
5 Central Vermont (4)	13,823,274			(5) 1267,779	688,307
6 Clarendon & Pittsford	198,717	78,071			8,959
7 Delaware & Hudson (6)	55,375	20,699			2,148
8 Hardwick & Woodbury	433,220	76,758			9,993
9 Hoosac Tunnel & Wilmington	14,562,748	2,617,687	157,319	661,829	2,090,153
10 Maine Central					
11 Manchester, Dorset & Granville (7)	826,205				184,813
12 Montpelier & Wells River (4)	4,068,575			12,000	
13 Montreal & Atlantic (C. P. R.)	18,178,845	2,237,013	909,310	472,800	658,122
14 Rutland	4,650,825		242,250		68,449
15 St. Johnsbury & Lake Champlain	1,006,431	96,959	800,000		49,964
16 Vermont Valley					
17 White River (7)	250,000	23,610			23,123
18 Woodstock					

(1) Equipment furnished by lessees. No current balances.

(2) Year ending April 30.

(3) Columns 8 and 14 include miscellaneous items.

(4) Column 2 includes cost of equipment.

(5) Includes \$1,000,000 bonds in hands of trustee.

(6) Returns to railroad commission show no general balance sheet applicable to operation of railroads owned or leased by D. & H. company.

(7) No sufficient data.

(8) Includes equipment, trust obligations of \$605,000.

TABLE VI.

YEAR ENDING JUNE 30, 1904.

7	8	9	10	11	12	13	14	15	
			Total assets (or liabilities) including miscellaneous Cols. 2 + 3 + 4 + 5 + 6 + 7 + 8 + 9 or Cols. 11 + 12 + 13 + 14 + 15 + miscellaneous	LIABILITIES.					
Material and supplies	Lands owned, sinking fund and sundry items.	Profit and loss		Capital stock.	Funded debt.	Current liabilities.	Accrued interest on funded debt not yet payable and sundry items.	Profit and loss.	
Dollars.	Dollars.	Dollars.	Dollars.	Dollars.	Dollars.	Dollars.	Dollars.	Dollars.	
6,642	16,275		8,922,000	5,484,000	3,438,000				1
3,393,064	1,781,416		499,278	400,000		(5)		99,273	2
			75,235,779	26,987,870	31,405,008	6,574,583	8,730,238	1,538,074	3
230,528	4,270			100,000	100,000				4
			15,855,701	3,000,000	12,000,000	770,256	73,333	12,111	5
			279,171	200,000		17,123		64,233	6
									7
982			80,273	73,675		1,521		5,076	8
9,886			547,748	250,000	250,000	42,356	4,166	1,224	9
757,331	803,127		21,598,910	4,988,000	12,492,192	762,689	3,069,913	283,114	10
									11
40,555	356		1,047,515	800,000		53,128	3,372	191,014	12
		157,785	5,380,267	3,200,000	1,065,000		1,115,267		13
210,427			26,712,422	9,257,000	11,996,000	676,833	64,282	718,306	14
53,904	111,223	1,596,617	6,750,996	3,848,500	2,500,000	376,462	26,033		15
			1,943,535	1,000,000	800,000	46,930		96,605	16
									17
2,633			300,997	250,000				50,997	18

YEAR ENDING JUNE 30, 1905.

6,626	19,754		8,922,000	5,484,000	3,438,000				1
3,584,769	2,822,182		537,384	400,000		(10)		137,374	2
			76,210,794	27,787,870	30,808,743	6,488,549	8,631,490	2,494,140	3
171,056	632,905			100,000	100,000				4
			16,583,323	3,000,000	12,000,000	31,491,940	75,602	15,780	5
			285,748	200,000		17,469		68,278	6
									7
825			79,018	73,675		455		4,888	8
9,270			529,243	250,000	250,000	1,725	4,166	23,350	9
830,962	360,793		21,271,495	4,988,000	11,892,192	909,863	2,303,110	1,178,328	10
									11
37,409	270		1,048,698	800,000		55,957	4,521	188,219	12
		218,117	4,298,690	3,200,000	1,065,000		33,690		13
195,166			22,651,257	9,257,000	11,873,000	556,570	40,043	924,643	14
43,013	111,223	1,615,849	6,731,612	3,848,500	2,500,000	357,104	26,007		15
			1,953,354	1,000,000	800,000	50,000		103,354	16
									17
2,003	10,000		308,736	250,000				58,736	18

TABLE VII.
COST OF ROAD, EQUIPMENT, AND IMPROVEMENTS JUNE 30, 1905.

1	2	3	4	5	6	7	8	
NAME OF COMPANY	TOTAL COST TO JUNE 30, 1905.				EXPENDITURES DURING YEAR JUNE 30, 1904—June 30, 1905.			
	Cost of construction of road.	Cost of road per mile.	Cost of equipment.	Total cost of construction and equipment.	Cost of construction and improvements.	Cost of equipment.	Total.	
	Dollars.	Dollars.	Dollars.	Dollars.	Dollars.	Dollars.	Dollars.	
1 Atlantic & St. Lawrence (G. T.).....	8,922,000	54,000	(1)	8,922,000 (2)	20,921		1	
2 Barre.....	988,921	31,200	148,334	437,255	748	20,787	27,536 2	
3 Boston & Maine..... (5)	43,365,091	70,825	7,223,320	50,588,411	385,650		385,650 3	
4 Bristol.....	200,000	30,344					4	
5 Central Vermont..... (5)	13,823,274	13,704	(3)	13,823,274 (2)	174,019	(2)	203,074 5	
6 Clarendon & Pittsford.....			78,071	276,788		6,048	6,048 6	
7 Delaware & Hudson.....			2,052,147	2,052,147			69,783 7	
8 Hardwick & Woodbury.....		7,145	20,669	76,044		230	1,405 8	
9 Hoosac Tunnel & Wilmington..... (5)	55,375	17,328	76,758	509,979		1,154	3,909 9	
10 Maine Central..... (5)	433,220	36,810	2,617,087	17,180,436	59,648	(4)	49,291 10	
11 Manchester, Dorset & Granville.....	14,592,748	24,328	8,794	130,383			11	
12 Montpelier & Wells River.....	826,205	21,628	(3)	826,205	424		424 12	
13 Montreal & Atlantic (C. P. R.)..... (5)	4,068,572	39,500	(3)	4,068,572		9,679	60,435 13	
14 Rutland.....	18,178,845	45,777	2,237,013	20,415,858	50,856		70,435 14	
15 St. Johnsbury & Lake Champlain.....	4,650,825	35,367		4,650,825			15	
16 Vermont Valley.....	1,006,431	44,934	96,959	1,103,390	(8)	64,218	64,218 16	
17 White River..... (9)							17	
18 Woodstock.....	250,000	18,011	23,610	273,610			18	

(1) Equipment furnished by Grand Trunk Ry. Co. Lessee.

(2) Included in operating expenses.

(3) Equipment included in cost of road.

(4) Depreciation.

(5) Entire line.

(6) Includes \$30,912 included in operating expenses.

(7) Credit: cars scrap and destroyed \$11,149. Car trust bonds retired \$123,000.

(8) Includes \$43,160 included in operating expenses.

(9) No data.

TABLE VIII.
DESCRIPTION OF EQUIPMENT JUNE 30, 1905.

NAME OF COMPANY	1	LOCOMOTIVES.					CARS.				
		Passenger.		Freight.		Switching.	Total.	In passenger service.		In freight service.	
		Number.	Number.	Number.	Number.			Number.	Number.	Number.	Number.
1 Atlantic & St. Lawrence (G. T.)	(1)			2	3	1	3	4	215	2	222
2 Barre	(2)	369	386		1025	240	1025	(3) 1626	17027	860	19513
3 Boston & Maine	(2)	1						1	1	1	3
4 Bristol	(2)	28	61		(8)	4	93	86	3154	125	(7) 3365
5 Central Vermont	(2)					5	5	2	131	40	173
6 Concord & Pittsford	(2)	48	27		86	11	86	255	2615	132	3002
7 Delaware & Hudson	(2)			2	2		2	6	115	6	41
8 Delaware & Hudson	(2)	4	2		6		6	200	5162	512	127
9 Hardwick & Woodbury	(2)	63	99		165	34	165				5634
10 Hoosac Tunnel & Wilmington	(2)	1						1	6		7
11 Maine Central	(2)	1						10	116	42	168
12 Manchester, Dorset & Granville	(2)	3		3	7	1	7	29	735	47	811
13 Montpelier & Wells River	(2)				18		18				
14 Montreal & Atlantic (C. P. R.)	(2)	30	38		(4)	9	78	105	2871	121	(5) 3097
15 Rutland	(2)										
16 St. Johnsbury and Lake Champlain	(6)										
17 Vermont Valley	(6)	8	1		9		9	5	140	6	151
18 White River	(6)	2			2		2	2	7	15	24
19 Woodstock	(6)	2			2		2	4	6		10

(1) Equipment furnished by Grand Trunk Railway Lessee.

(2) Entire line.

(3) Includes 61 cars in electric street railroad service

(4) Observation 1. Includes 34 locomotives leased.

(5) Includes 1281 leased.

(6) Equipment furnished by Boston & Maine.

(7) Includes 494 leased.

(8) Includes 7 leased.

PASSENGER AND FREIGHT TRAFFIC FOR THE YEAR ENDING JUNE 30, 1905.

1 Atlantic & St. L. (G.T.) (1)	91,082	1,374,083	15,09	387,07	1,420	1,226,207	33,455,971	27,28	1,202,1	5,185	6,626	8,240	1,614	1
2 Barre..... (2)	516,482	13,845,794	26,81	869,49	2,123	1,826,534	150,029,088	82,14	5,283,3	5,605	7,755	8,012	257	2
3 Boston & Maine..... (2)	5,939	32,130	5,41	83,132	212	106,681	901,744	5,41	50,262	9,047	10,177	3,921	6,255	3
4 Bristol..... (2)	41,874,810	702,490,018	18,17	3,188,5	6,245	20,346,826	185,130,258	90,24	1,039,24	9,664	16,059	11,788	4,271	4
5 Central Vermont..... (1)	19,351	29,076,941	27,96	637,89	2,690	2,202,688	185,135,268	84,05	63,627	4,794	7,616	5,690	1,925	5
6 Clarendon & Pittsford..... (2)	2,955,850	44,538,072	15,07	328,43	4,444	139,276	557,104	4,00	31,755	2,717	2,718	2,280	437	6
7 Delaware & Hudson..... (2)	2,315	2,315	9,37	247,59	6	4,733,261	221,238,116	46,74	44,085	8,378	13,183	10,324	2,859	7
8 Hartford & Woodbury..... (2)	31,503	444,868	14,12	48,692	741	37,562	257,718	6,85	61,508	2,434	2,440	2,223	217	8
9 Hoosac T. & Wilmington..... (2)	3,446,683	120,757,694	35,05	706,81	3,448	50,798	792,310	15,60	1,036,43	2,105	2,857	2,044	802	9
10 Maine Central..... (2)	6,346	25,384	4,00	1,285,4	163	4,731,443	396,734,697	83,85	9,008,4	5,286	8,887	5,976	2,911	10
11 Manchester, D. & G..... (1)	152,551	2,111,730	13,84	383,44	1,488	200,218	4,663,608	22,29	56,581	2,857	4,367	3,466	900	11
12 Montpelier & Wells River..... (1)	118,232	1,828,574	15,47	317,19	1,922	614,500	12,274,352	19,97	16,236	4,750	6,825	6,356	468	12
13 Montreal & Atlantic..... (2)	252,037	6,990,843	27,42	69,208	1,031	895,895	42,805,210	51,32	55,515	2,516	3,613	3,367	240	13
14 Rutland..... (1)	897,899	24,718,134	27,53	5,498,8	2,396	1,115,092	107,076,350	96,02	80,307	3,719	6,116	4,188	1,927	14
15 St. Johnsbury & L. C..... (2)	1,235,989	38,027,898	30,76	96,571	2,054	1,888,488	178,460,598	96,02	80,307	3,593	5,480	3,590	1,899	15
16 Vermont Valley..... (4)	196,729	3,005,120	18,33	473,14	861	343,049	16,905,231	48,11	680,15	1,794	2,706	2,212	493	16
17 White River..... (4)	224,318	4,648,201	20,72	47,884	4,974	873,153	20,060,764	23,70	251,76	9,197	14,312	9,944	4,367	17
18 Woodstock..... (4)	89,807	471,037	11,82	43,562	1,391	23,69	301,472	12,68	1,085,44	1,858	3,250	1,820	1,430	18

(1) Line in Vermont.

(2) Entire line.

(3) Includes 2,567,868 on electric street roads.

(4) No data.

(5) Includes 3,205,299 on electric street roads.

TABLE X.
CLASSIFIED FREIGHT TRAFFIC IN TONS

1	2	3	4	5	6
PRODUCTS OF					
NAME OF COMPANY.	Grain.	Flour.	Other mill products.	Hay.	Tobacco.
1 Atlantic & St. Lawrence (G. T.)..... (1)					
2 Barre.....	2,952				
3 Boston & Maine..... (2)	1,068,871	449,958	345,728	388,763	27,836
4 Bristol..... (1)					
5 Central Vermont..... (3)	289,237	35,170	48,141	59,426	
6 Clarendon & Pittsford..... (4)	571	250			
7 Delaware & Hudson..... (2)	118,891	32,296	37,961	21,588	1,077
8 Hardwick & Woodbury.....	296				
9 Hoosac Tunnel & Wilmington.....	2,545	455			
10 Maine Central..... (2)	349,744	88,297	119,022	56,587	348
11 Manchester, Dorset & Granville.....	130	5		6	
12 Montpelier & Wells River..... (1)					
13 Montreal & Atlantic (C. P. R.)..... (3)	106,201	81,348	28,316	4,985	
14 Rutland..... (3)	75,246	29,885	14,969	16,404	
15 St. Johnsbury & Lake Champlain.....	35,257	13,384	20,696	4,144	7
16 Vermont Valley.....	48,965	18,112	11,692	23,933	977
17 White River..... (1)					
18 Woodstock.....	2,203	364	1,900	30	
(1) No data.					
(2) Entire line.					
(3) Line in Vermont.					
(4) Estimated.					

17	18	19	20	21	
MANUFACTURES.					
NAME OF COMPANY.	Oils.	Sugar.	Naval stores.	Iron, pig and bloom.	Iron and steel rails.
1 Atlantic & St. Lawrence (G. T.)..... (1)					
2 Barre.....					
3 Boston & Maine..... (2)	177,276	143,058	10,336	276,208	211,101
4 Bristol..... (1)					
5 Central Vermont..... (3)	11,763	17,183		17,790	
6 Clarendon & Pittsford..... (4)				90	
7 Delaware & Hudson..... (2)	27,397	13,365	132	94,890	27,165
8 Hardwick & Woodbury.....	218				
9 Hoosac Tunnel & Wilmington.....		112			
10 Maine Central..... (2)	20,805	9,823	726	14,030	17,170
11 Manchester, Dorset & Granville.....	10				
12 Montpelier & Wells River..... (1)					
13 Montreal & Atlantic (C. P. R.)..... (3)	505				55
14 Rutland..... (3)	2,580	7,442			
15 St. Johnsbury & Lake Champlain.....	918	1,508		2,178	100
16 Vermont Valley.....	4,663	13,775		2,512	1,522
17 White River..... (1)					
18 Woodstock.....	190	100			
(1) No data.					
(2) Entire line.					
(3) Line in Vermont.					
(4) Estimated.					

TABLE X.
FOR YEAR ENDING JUNE 30, 1905.

7	8	9	10	11	12	13	14	15	16	
AGRICULTURE.			PRODUCTS OF ANIMALS.							
Cotton.	Fruits and vegetables.	Other articles.	Live stock.	Dressed meats.	Other packing-house products.	Poultry, game and fish.	Wool.	Hides and leather.	Other articles.	
252,744	584,095		149,392	231,213	549,135	116,221	208,170	277,216		1
			18,600		79,920	11,977	3,893	24,490		2
7,085	54,500		14,163	14,093	4,944	1,562	1,160	12,136		3
	195							484		4
18,737	318,077		24,322	12,239	13,309	22,156	8,157	18,079		5
										6
	2,603	9,484	4,290	65,260		6,119	6,587	13,289	19,975	7
181	16,736	4,363	7,404	1,833	5,598	873	1,013	2,093	10,575	8
39	2,838		2,653	3,665	1,599	371	82	7,317		9
33	19,675		6,396	30,561	5,208		1,127	2,185		10
										11
33	207	150	542	44	20	18	242	93		12

22	23	24	25	26	27	28	29	
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MANUFACTURES.

Castings and Machinery.	Bar and sheet metal.	Cement, brick and lime.	Agricultural implements.	Wagons, carriages, tools, etc.	Wines, liquors and beers.	Household goods and furniture.	Other articles.	
325,606	157,931	713,402	71,603	24,478	235,292	122,127	1,296,099	1
		42,802	1,553		3,410	3,127	122,349	2
50		20		15			25,000	3
38,326	19,764	159,350	3,138	2,083	19,908	13,086	597,051	4
18								5
776		812						6
20,951	11,572	126,022	3,396	3,214	2,401	13,155		7
33	37	3						8
		452	58		5,247	2,551	176,334	9
8,430		18,320	1,822			2,808	41,774	10
1,821	1,038	13,941	509	126	407	1,344	22,012	11
4,085	3,377	16,300	979	1,551	2,002	3,473	130,287	12
								13
148		766	10	13	52	103	1,422	14

TABLE X.
CLASSIFIED FREIGHT TRAFFIC, IN TONS, FOR YEAR ENDING JUNE 30, 1905.

NAME OF COMPANY.	PRODUCTS OF MINES.										PRODUCTS OF FORESTS.				Miscellaneous.	Total tonnage.
	Anthracite coal.	Bituminous coal.	Coke.	Ores.	Stone and other like articles.	Articles.	Lumber.			Other articles.	Merchandise.	Ice.				
							33	34	35				36	37			38	39	40	41
30	31	32	33	34	35	36	37	38	39	40	41					
1 Atlantic & L. C. (G. T.) . . . (1)	9,103	3,044,927	263,898	119,357	741,118	148,752	1,989,890	493,254	5,874	1,249,104	525,093	2,244,456	20,546,826	160,681	2	1
2 Barre . . . (2)	1,461,754	66,187	194,289	410	117	117,850	163,200	75	902,782	350	37,022	2,202,638	2,392,376	20	3	3
3 Boston & Maine . . . (3)	11,329	1,306	72,445	524,517	270,890	100,000	435,707	53	104,203	1,339	1,339	419,307	139,276	984	6	6
4 Central Vermont . . . (4)	1,374,317	3,722	8,283	587	118,002	31,268	1,003	7,602	328,308	1,024,879	1,024,879	1,024,879	50,798	53	8	8
5 Claremont & Pittsford . . . (5)	441	6,186	4,811	587	118,002	31,268	1,003	7,602	328,308	1,024,879	1,024,879	1,024,879	50,798	53	8	8
6 Delaware & Hudson . . . (6)	131,389	547,203	4,811	587	118,002	31,268	1,003	7,602	328,308	1,024,879	1,024,879	1,024,879	50,798	53	8	8
7 Delaware & Woodbury . . . (7)	108	1,539	1,539	1,539	1,539	1,539	1,539	1,539	1,539	1,539	1,539	1,539	1,539	1,539	1,539	1,539
8 Hardwick & Woodbury . . . (8)	108	1,539	1,539	1,539	1,539	1,539	1,539	1,539	1,539	1,539	1,539	1,539	1,539	1,539	1,539	1,539
9 Hoosac Tunnel & Wilmington . . . (9)	108	1,539	1,539	1,539	1,539	1,539	1,539	1,539	1,539	1,539	1,539	1,539	1,539	1,539	1,539	1,539
10 Maine Central . . . (2)	108	1,539	1,539	1,539	1,539	1,539	1,539	1,539	1,539	1,539	1,539	1,539	1,539	1,539	1,539	1,539
11 Manchester, Dorset & Granville . . . (11)	108	1,539	1,539	1,539	1,539	1,539	1,539	1,539	1,539	1,539	1,539	1,539	1,539	1,539	1,539	1,539
12 Montpelier & Wells River (1)	1,376	189,261	320	2,444	15,982	514	26,044	31,951	72,363	80,080	80,080	80,080	80,080	80,080	80,080	80,080
13 Montreal & Atlantic (C. P. R.) . . . (3)	97,323	189,261	320	2,444	15,982	514	26,044	31,951	72,363	80,080	80,080	80,080	80,080	80,080	80,080	80,080
14 Rutland . . . (3)	6,974	11,604	1,328	43	25,457	89,802	97,700	222,394	72,363	80,080	80,080	80,080	80,080	80,080	80,080	80,080
15 St. Johnsbury & L. C. . . .	8,283	94,630	2,138	26,168	26,168	26,168	145,614	960	98,806	143,104	143,104	143,104	143,104	143,104	143,104	143,104
16 Vermont Valley . . .	8,283	94,630	2,138	26,168	26,168	26,168	145,614	960	98,806	143,104	143,104	143,104	143,104	143,104	143,104	143,104
17 White River . . . (1)	262	1,286	1,286	159	159	159	1,461	5,343	2,427	2,427	2,427	2,427	2,427	2,427	2,427	2,427
18 Woodstock . . .	4,063	262	1,286	159	159	159	1,461	5,343	2,427	2,427	2,427	2,427	2,427	2,427	2,427	2,427

(1) No data.

(2) Entire line.

(3) Line in Vermont.

(4) Estimated.

TABLE XI.
EMPLOYEES AND SALARIES
NUMBER OF EMPLOYEES.

1	2	3	4	5	6	7	8
NAME OF COMPANY.	General officers.	Other officers.	General office clerks.	Station agents.	Other station men.	Enginemen.	Firemen.
1 Atlantic & St. Lawrence (G. T.)...	1	6	6	3	12	13	5
2 Barre.....	1		3	3	2	1	1
3 Boston & Maine.....(1)	30	107	963	781	3674	1227	1178
4 Bristol.....	2			1	1	1	1
5 Central Vermont.....	5	20	148	71	138	91	106
6 Clarendon & Pittsford.....	6				2	4	4
7 Delaware & Hudson.....(1)	1	5	56	128	201	77	78
8 Hardwick & Woodbury.....	7			1		1	1
9 Hoosac Tunnel & Wilmington.....	2		1	4	1	3	3
10 Maine Central.....(1)	11	30	172	195	455	180	176
11 Manchester, Dorset & Granville.....						1	1
12 Montpelier & Wells River.....	4	2	3	9	13	8	7
13 Montreal & Atlantic (C. P. R.). (1)	2		6	35	61	24	30
14 Rutland.....	9	5	68	49	84	41	42
15 St. Johnsbury & Lake Champlain.....	9	1	13	27	11	19	17
16 Vermont Valley.....(3)	2	(3) 1		5	10	9	7
17 White River.....	1		1	4	2	2	2
18 Woodstock.....	1	8		4	2	2	2

AVERAGE DAILY SALARY, (DOLLARS).

1 Atlantic & St. Lawrence (G. T.)...	21.98	3.17	1.44	2.06	1.48	3.60	2.05
2 Barre.....	5.75		1.79	1.15	1.83	2.98	1.72
3 Boston & Maine.....(1)	22.36	5.52	2.17	1.94	1.83	3.53	2.03
4 Bristol.....(2)							
5 Central Vermont.....	10.27	5.34	1.58	1.75	1.17	2.95	1.67
6 Clarendon & Pittsford.....					1.25	2.50	1.60
7 Delaware & Hudson.....(1)	24.90	15.61	2.47	2.18	1.58	4.64	2.83
8 Hardwick & Woodbury.....	38			1.00		3.00	1.70
9 Hoosac Tunnel & Wilmington.....	2.75		1.72	1.53	2.46	2.04	1.34
10 Maine Central.....(1)	18.56	4.45	1.92	1.65	1.51	3.44	2.12
11 Manchester, Dorset & Granville.....						3.00	1.75
12 Montpelier & Wells River.....	7.56	4.31	1.94	1.86	1.86	2.54	1.57
13 Montreal & Atlantic (C. P. R.). (1)	4.79		1.36	1.84	1.21	3.40	2.25
14 Rutland.....	10.08	3.68	1.81	1.68	1.46	3.69	2.14
15 St. Johnsbury & Lake Champlain.....	3.21	3.45	1.53	1.53	1.49	2.99	1.74
16 Vermont Valley.....	1.60	3.38		1.79	1.61	3.82	2.16
17 White River.....(2)							
18 Woodstock.....	5.75	5.00		1.68	1.65	2.70	1.92

(1) Entire line.

(2) No data.

(3) Part hired from Boston & Maine.

TABLE XI.

FOR YEAR ENDING JUNE 30, 1935.

NUMBER OF EMPLOYEES.

9	10	11	12	13	14	15	16	17	18	19	
Conductors.	Other trainmen.	Machinists.	Carpenters.	Other shopmen.	Section foremen.	Other trackmen.	Switchmen, flagmen, watchmen.	Telegraph operators.	Other employees.	Total.	
26	59	6	24	4	6	23	8	5	75	288	1
1	3			2	4	17	1			39	2
980	2625	660	990	1292	619	3326	1716	413	2928	23,509	3
1					1	5	1		1	15	4
65	147	75	171	306	60	144	51	26	62	1686	5
3	8		1	1	3	31				63	6
58	134	123	116	338	72	309	289	52	400	2437	7
1	2	1	1		4	8	1			28	8
2	2			14	3	12	2		10	59	9
156	398	132	266	117	165	973	227	88	818	4559	10
1	1		1		1	4				10	11
6		7	5	14	11	55	2		2	157	12
20	41	3	15	349	33	105	11	23	88	846	13
29	59	33	5	226	50	284	17	29	20	1050	14
15	26	(3) 1	(3) 10		32	71	9	4	20	285	15
4	9	(3) 5	(3)		6	49	4	4	5	120	16
2					1	10				25	17
2	3				3	8	2		1	38	18

AVERAGE DAILY SALARY, (DOLLARS).

2.66	2.03	2.27	1.75	2.18	1.64	1.30	1.92	1.74	1.73	1.89	1
2.93	2.05			1.91	1.75	1.50	1.50			1.78	2
3.17	2.19	2.55	2.12	2.02	2.20	1.55	1.59	2.02	1.73	2.08	3
											4
2.14	1.42	2.27	1.49	1.42	1.82	1.23	1.21	1.89	1.15	1.68	5
1.77	1.65		2.00	1.30	1.75	1.21				1.60	6
3.35	2.25	2.38	2.08	1.79	2.02	1.35	1.69	1.77	1.80	2.02	7
2.75	1.70	3.00	2.75		1.85	1.50	1.30			1.61	8
1.88	1.57			1.79	1.68	1.35	1.31		1.45	1.63	9
3.04	2.10	1.98	1.89	1.90	1.87	1.56	1.30	1.70	1.68	1.91	10
2.25	1.75		2.50		2.00	1.50					11
2.37	1.74	2.59	2.12	1.73	1.81	1.44	63		1.56	2.02	12
2.90	1.80	2.34	1.80	1.19	1.90	1.30	2.00	2.50	1.60	1.78	13
3.06	2.11	1.93	1.78	1.53	1.76	1.38	1.66	1.69	2.01	1.85	14
2.80	1.80	2.00	2.03		1.75	1.42	1.23	1.88	1.52	1.76	15
3.06	2.19	1.88			2.07	1.52	1.56	1.62	1.67	1.96	16
											17
2.64	1.80				1.75	1.45	1.25		5.87	1.91	18

TABLE XII.

AVERAGE PASSENGER FARES PER MILE FOR 8 YEARS, 1898—1905, IN VERMONT ONLY.—(CENTS).

NAME OF COMPANY.	1898	1899	1900	1901	1902	1903	1904	1905
1 Atlantic & St. Lawrence (G. T.).....	.01985	.02235	.02212	.02162	.02078	.02165	.02167	.02238
2 Barre.....	.03083	.03061	.3494	.05	.03285	.03268	.03814	.06124
3 Boston & Maine.....	(3) .01750	.01715	.10727	.01763	.01764	.01774	(3) .01784	(3) .01755
4 Bristol.....	.....	.....	(1)	(1)	(1)	(1)	(1)	(1)
5 Central Vermont.....	.....	.02228	.02187	.02160	.02211	.02211	.02243	.02281
6 Clarendon & Pittsford.....	.....	.01190	(1)	(1)	(1)	(1)	(1)	(1)
7 Delaware & Hudson.....	(3) .02259	(3) .02212	(2) .02267	.02270	.02304	.0295	(3) .02212	(3) .02180
8 Hardwick & Woodbury.....	.01804	.01450	.01496	(1)	.01588	.01476	.02606	.02641
9 Hoosac Tunnel & Wilmington.....	.03431	.03401	.03420	.03371	.03464	.03510	.03802	.03448
10 Maine Central.....	(3) .02232	(3) .02268	.02228	.02155	.02065	.02055	(3) .02035	(3) .02016
11 Manchester, Dorset & Granville.....	.....	.....	.....	.....	(1)	(1)	(1)	.03213
12 Montpelier & Wells River.....	.01972	.02666	.02508	.02146	.02171	.02554	.02596	.02770
13 Montreal & Atlantic (C. P. R.).....	.02558	.01946	.01731	.02566	.01755	.02041	.02185	.02051
14 Rutland.....	.02320	.02461	.02442	.02080	.02291	.02247	.02062	.01997
15 St. Johnsbury & Lake Champlain.....	.02310	.02449	.02567	.02627	.02501	.02618	.02611	.02582
16 Vermont Valley.....	.02350	.02246	.02265	.02232	.02210	.02277	.02289	.02287
17 White River.....	.....	.....	.....	.....	(1)	(1)	(1)	(1)
18 Woodstock.....	.03697	.03838	.03998	.03824	.03786	.03764	.03673	.03687

(1) No. data.
 (2) Saratoga Division.
 (3) Entire line.

TABLE XIII.

AVERAGE FREIGHT RATES PER TON PER MILE FOR 8 YEARS, 1898—1905, IN VERMONT ONLY.—(CENTS).

NAME OF ROAD.	1898	1899	1900	1901	1902	1903	1904	1905	
1 Atlantic & St. Lawrence (G. T.).....	.00689	.00443	.00437	.00476	.00425	.00391	.00430	.00474	1
2 Barre.....	.10129	.10020	.10581	.9042	.08900	.09210	.09116	.09290	2
3 Boston & Maine.....	.01482	.01430	.01439	.0114	.01119	.01131	.01178	.01152	3
4 Bristol.....			(1)	(1)	(1)	(1)	(1)	(1)	4
5 Central Vermont.....		.00577	.00653	.00737	.00752	.00824	.00778	.00757	5
6 Clarendon & Pittsford.....		.08317	.186	.096	.0325	(1)	.07475	.07941	6
7 Delaware & Hudson.....	(2)	.01183	.01105	(2)	.01071	(2)	.01084	.00942	7
8 Hardwick & Woodbury.....	.06084	.07485	.06709	.04927	.04274	.05487	.06067	.08973	8
9 Hoosac Tunnel & Wilmington.....	.06715	.06825	.06719	.06131	.06297	.06281	.06307	.06045	9
10 Maine Central.....	.01284	.01101	.01131	.01146	.01113	.01135	.01091	.01074	10
11 Manchester, Dorset & Granville.....					(1)	.10	(1)	(1)	11
12 Montpelier & Wells River.....	.02351	.02587	.02595	.01818	.02454	.02671	.02703	.02878	12
13 Montpelier & Atlantic (C. P. R.).....	.00803	.00582	.00508	.00475	.00540	.00534	.00709	.00813	13
14 Rutland.....	.01399	.01180	.01182	.00821	.00793	.00806	.00903	.00836	14
15 St. Johnsbury & Lake Champlain.....	.00767	.00983	.00899	.01114	.01198	.01242	.01451	.01414	15
16 Vermont Valley.....	.00915	.00900	.00978	.00958	.00974	.01058	.01061	.01062	16
17 White River.....					(1)	(1)	(1)	(1)	17
18 Woodstock.....	.06377	.09044	.09076	.09484	.09301	.10003	.09252	.08558	18

(1) No data.

(2) Saratoga division

(3) Entire line.

STATISTICS
OF ELECTRIC RAILROADS

TABLE 1.
ELECTRIC RAILWAYS.—MILEAGE, EQUIPMENT, ETC., JUNE 30, 1905.

1	2	3	4	5	6	7	8	9	10								
										NAME OF COMPANY.	MILEAGE		EQUIPMENT.		Total number of passengers carried year ending June 30th. 1905.	Av. No. Employees	Kind of Fender used.
											Total miles of single track.	Total miles of sidings, switches, etc.	Number closed cars	Number open cars				Number other cars	Total cars
1 Barre & Montpelier.....	9.187	.011	6	6	3	15	913,397	17	Parmenter.								
2 Bellows Falls.....	6.250	.295	2	3	8	13	150,559	13	Providence.								
3 Bennington & Hoosick.....(1)	16.000	.640	7	8	5	20	825,074	34	Providence.								
4 Brattleboro.....	4.330	.670	4	4	2	10	345,565	14	Parmenter.								
5 Burlington.....	11.000	.....	10	12	1	23	1,608,018	30	Parmenter.								
6 Military Post.....	5.000	.....	5	5	2	12	494,793	8	Parmenter.								
7 Mount Mansfield.....	10.500	.750	3	0	3	6	94,992	13	Parmenter.								
8 Rutland.....	23.500	.610	11	15	8	34	1,959,692	53	Parmenter.								
9 Springfield.....(1)	7.165	1.152	3	2	9	14	114,385	26	Hipwood - Barrett.								
10 St. Albans.....	12.710	.....	3	6	4	13	.....	.....	.....								

(1) Part of line located outside Vermont.

TABLE II.
ELECTRIC RAILWAYS.—INCOME AND OPERATING EXPENSES FOR YEAR ENDING JUNE 30, 1905.

1	2	3	4	5	6	7	8	9
NAME OF COMPANY.	INCOME.					Total income. Dollars.	Operating expenses. Dollars.	Net income from operation. Dollars.
	From passengers	From freight.	From express.	From mails.	From other sources.			
	Dollars.	Dollars.	Dollars.	Dollars.	Dollars.			
1 Barre & Montpelier	41,286				390	41,676	29,303	12,373
2 Bellows Falls	15,458	3,054	793	451	408	20,166	26,728	(1) 6,562
3 Bennington & Hoosick	38,392	3,105			174	41,672	31,236	10,436
4 Brattleboro	17,427			287.	335	18,050	13,452	4,598
5 Burlington	80,400				240	80,640	59,323	21,317
6 Military Post	24,697				90	24,787	7,863	16,924
7 Mount Mansfield	7,077	7,229	564	655	474	16,000	16,202	(1) 202
8 Rutland	84,841				2,733	87,574	56,907	30,667
9 Springfield	16,778	20,072	1,152	628	946	39,578	26,128	13,450
10 St. Albans	22,278	151	670	200	369	23,669	27,577	(1) 3,907

(1) Deficit.

TABLE III.
ELECTRIC RAILWAYS.—Assets, June 30, 1905.

1	2	3	4	5	6	7	8	9
NAME OF COMPANY.	Cost of Construc- tion.	Cost of Equip- ment.	Other Permanent Property.	Cash and Current Assets.	Materials and Supplies.	Miscel- laneous Assets.	Profit and Loss.	Total Assets.
	<i>Dollars</i>	<i>Dollars</i>	<i>Dollars.</i>	<i>Dollars.</i>	<i>Dollars.</i>	<i>Dollars.</i>	<i>Dollars.</i>	<i>Dollars.</i>
1 Barre & Montpelier.....(2)								199,290
2 Bellovs Falls.....	175,000	(1)					24,290	418,121
3 Bennington & Hoosick Valley.....	388,687	(1)			2,500	26,933		87,982
4 Brattleboro.....	82,032	(1)		245	1,325	4,380		
5 Burlington.....(2)								
6 Military Post.....(2)								
7 Mount Mansfield.....	200,510	(1)		926	1,072	483	60,134	263,125
8 Rutland.....	2,158,918	(1)		4,518	3,949	95,686		2,263,072
9 Springfield.....	242,436	(1)		2,382	2,906	4,657		252,382
10 St. Albans.....(2)								

(1) Included in cost of construction.

(2) No data.

TABLE IV.
ELECTRIC RAILWAYS.—LIABILITIES JUNE 30, 1905.

1	2	3	4	5	6	7
NAME OF COMPANY.	Capital Stock. <i>Dollars.</i>	Funded debt. <i>Dollars.</i>	Current Liabilities. <i>Dollars.</i>	Accrued Liabilities. <i>Dollars.</i>	Profit and Loss. <i>Dollars.</i>	Total Liabilities. <i>Dollars.</i>
1 Barre & Montpelier (2)						199,290
2 Bellows Falls	100,000	75,000	24,290			418,121
3 Bennington & Hoosick	200,000	182,000	32,135		3,966	
4 Brattleboro	55,500	25,000	5,433	104	1,945	87,982
5 Burlington (2)						
6 Military Post (2)						
7 Mount Mansfield (1)	510	200,000	62,285	330		263,125
8 Rutland	1,200,000	750,000	293,342	735	18,994	2,263,072
9 Springfield	129,600	100,000	1,300		21,482	252,382
10 St. Albans (2)						

(1) Capital stock of Company is \$300,000. Amount realized on same, \$510.

(2) No data.

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